

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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MATTHEW RALSTON,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
MITCHELL GARABEDIAN, ESQUIRE, et al,	:	
	:	
	:	NO. 2:19-cv-01539
Defendants.	:	

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**APPENDIX IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT  
VOLUME II**

## TABLE OF CONTENTS

### Volume I

Exhibit “A” – July 1, 2021 deposition of Matthew Ralston .....	0001a
Exhibit “B” – D-31 – Matthew Ralston Resume .....	0090a
Exhibit “C” – October 7, 2021 deposition transcript of Leslie Gomez .....	0093a
Exhibit “D” – D-2 – April 23, 2016 letter to alumni and parents .....	0288a
Exhibit “E” – November 20, 2020 deposition of Kurtis Poulos .....	0290a
Exhibit “F” – D-1 – November 20, 2017 communication to alumni.....	0497a
Exhibit “G” – D-33 – November 20, 2017 Hill School Communication .....	0501a

### Volume II

Exhibit “H” – November 19, 2020 deposition of Kurtis Poulos.....	0504a
Exhibit “I” – November 24, 2020 deposition of Kurtis Poulos .....	0739a
Exhibit “J” – D-15 – April 11, 2018 letter from Garabedian to Lehman .....	0845a
Exhibit “K” – D-4 – December 26, 2018 letter from Garabedian to Rees .....	0847a
Exhibit “L” – May 27, 2021 deposition of Kurtis Poulos.....	0849a

### Volume III

Exhibit “M” – Poulos-4 – April 3, 2019 notes.....	1021a
Exhibit “N” –contingent fee agreement.....	1022a
Exhibit “O” – D-3 – December 13, 2017 emails between Poulos and Mary Ellen Poulos .....	1023a
Exhibit “P” – D-13 – December 13, 2017 emails between Poulos and Garabedian .....	1024a
Exhibit “Q” – D-5 – December 12, 2017 notes .....	1030a
Exhibit “R” – D-9 – December 12, 2017 notes .....	1037a
Exhibit “S” – D-7 – December 19, 2018 notes.....	1038a
Exhibit “T” – D-6 – December 26, 2018 notes.....	1039a
Exhibit “U” – D-34 – January 9, 2019 email from Rees .....	1041a

Exhibit “V” – D-35 – January 23, 2019 letter from Garabedian to Rees .....	1043a
Exhibit “W” – D-36 – January 30, 2019 email .....	1044a
Exhibit “X” – D-37 – February 21, 2019 letter .....	1046a
Exhibit “Y” – September 30, 2021 deposition transcript of Zachary Lehman .....	1047a
Exhibit “Z” – D-38 – March 26, 2019 letter .....	1216a
Exhibit “AA” – Lehman-3 – April 2019 draft email to faculty .....	1217a
Exhibit “BB” – July 8, 2021 deposition transcript of Nathan Gaul .....	1218a
Exhibit “CC” – December 12, 2018 notes .....	1238a
Exhibit “DD” – December 21, 2018 notes .....	1239a
Exhibit “EE” – April 16, 2019 notes .....	1240a
Exhibit “FF” – July 8, 2021 deposition transcript of Daniel Mahoney .....	1241a
Exhibit “GG” – December 13, 2017 notes (call with mother) .....	1268a
Exhibit “HH” – January 29, 2018 email regarding New York statute of limitations .....	1270a
Exhibit “II” – March 23, 2018 email regarding address change .....	1271a
Exhibit “JJ” – December 26, 2018 email from Rees .....	1272a
Exhibit “KK” – December 18 and 19, 2018 emails with Rees .....	1273a
Exhibit “LL” – April 24, 2018 letter from Rees .....	1277a
Exhibit “MM” – Mahoney-5 – December 13, 2017 letter from Garabedian with blank CFA .....	1278a
Exhibit “NN” – Compilation of releases executed on December 15, 2017 .....	1280a
Exhibit “OO” – December 2017 investigative materials .....	1316a
Exhibit “PP” – January 30, 2018 letter requesting records (The Hill School) .....	1324a
Exhibit “QQ” – Compilation of February 2, 2018 record requests .....	1326a
Exhibit “RR” – Records received from University of Wisconsin-Milwaukee .....	1334a
Exhibit “SS” – December 19, 2018 emails with forwarded emails and article .....	1370a
Exhibit “TT” – May 16, 2019 email from Garabedian .....	1374a

Exhibit “UU” – April 11, 2018 letter requesting records (The Hill School) .....	1375a
Exhibit “VV” – October 11, 2021 deposition transcript of Thomas Rees .....	1376a
Exhibit “WW” – D-26 – April 18, 2019 email from Rees regarding administrative leave .....	1442a
Exhibit “XX” – April 29, 2019 letter with memorandum regarding administrative leave .....	1443a
Exhibit “YY” – August 27, 2019 letter from James Beasley, Jr. ....	1445a
Exhibit “ZZ” – April 17, 2019 email from Philadelphia Magazine .....	1447a
Exhibit “AAA” – October 18, 2019 email from Rees .....	1448a
Exhibit “BBB” – October 14, 2019 letter from James Beasley, Jr. ....	1449a
Exhibit “CCC” – September 23, 2019 letter from Rees .....	1450a
Exhibit “DDD” – December 22, 2016 letter regarding raises and bonus plan .....	1452a
Exhibit “EEE” – D-25 – June 28, 2018 job evaluation.....	1454a
Exhibit “FFF” – July 18, 2018 letter from Sockel regarding raise .....	1458a
Exhibit “GGG” – July 25, 2018 email from Neese regarding bonus.....	1459a

#### **Volume IV**

Exhibit “HHH” – April 22, 2021 deposition of Kurtis Poulos .....	1460a
Exhibit “III” – September 20, 2021 deposition of Matthew Ralston.....	1571a
Exhibit “JJJ” – D-16 – Plaintiff response to interrogatories.....	1640a
Exhibit “KKK” – June 26, 2018 email to Rees .....	1651a
Exhibit “LLL” – January 2, 2019 email from Rees .....	1652a
Exhibit “MMM” – March 16, 2019 email .....	1653a
Exhibit “NNN” – April 29, 2018 email .....	1654a
Exhibit “OOO – D-17, D-18, D-19 – compilation of three course reviews .....	1656a
Exhibit “PPP” – June 20, 2018 reservation of rights letter.....	1659a
Exhibit “QQQ” – February 11, 2019 disclaimer of coverage letter .....	1666a
Exhibit “RRR” – D-21 – April 6, 2016.....	1673a

Exhibit “SSS” – D-22 – April 11, 2016 email welcoming plaintiff back.....	1675a
Exhibit “TTT” – D-23 – July 19, 2017 letter re new salary .....	1676a
Exhibit “UUU” – June 24, 2021 deposition of Mitchell Garabedian .....	1677a
Exhibit “VVV” – Gaul-5 – April 15, 2019 criminal background check .....	1739a
Exhibit “WWW” – May 10, 2019 notes .....	1751a
Exhibit “XXX” – compilation of April 2019 searches .....	1752a
Exhibit “YYY” – compilation of 2019 releases .....	1759a
Exhibit “ZZZ” – September 2, 2021 deposition of Christopher Hopkins .....	1762a
Exhibit “AAAA” – Subpoenas to The Hill School.....	1791a

**Docket Materials**

Doc. 19 – March 18, 2021 Order .....	1808a
Doc. 28 – Second Amended Complaint.....	1809a

Exhibit "H"

Kurtis N. Poulos

1 UNITED STATES DISTRICT COURT

2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3 - - - - -

4 JOHN DOE,

5 Plaintiff,

6 vs. Case No. 2:19-CV-01539

7 MITCHELL GARABEDIAN, ESQ., LAW

8 OFFICES OF MITCHELL GARABEDIAN,

9 and KURTIS N. POULOS,

10 Defendants.

11

12 Videotaped Deposition of

13 KURTIS N. POULOS (Volume I)

14 (Via Zoom Videoconference)

15 Thursday, November 19, 2020

16 10:15 a.m. to 5:45 p.m.

17

18

19

20

21 GOLKOW LITIGATION SERVICES, INC.

22 (215) 717-7805

23

24

25 Reported by Lynn Peppey Bayer, RPR, CM

0504a

Kurtis N. Poulos

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A P P E A R A N C E S

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KURTIS N. POULOS

1	I N D E X		
2	WITNESS	EXAMINATION	PAGE
3	KURTIS N. POULOS		
4		EXAMINATION BY MR. JUBB	6
5		EXAMINATION BY MS. DOUGHERTY	188
6			
7			
8	E X H I B I T S		
9	NUMBER		PAGE IDENTIFIED
10	Exhibit P6.23	sixth form yearbook page of K. Poulos	120
11	Exhibit P6.26	Rolfe 2 dorm picture	121
12	P16.164-165	Proxmire letters	93
13	P16.219-220	4/11/18 letter from Garabedian to Lehman	135
14	Exhibit P16.225-226	12/26/28 letter Garabedian to Rees	138
15	P16.228	1/28/19 letter Garabedian to Rees	147
16	Exhibit P16.235	3/26/19 letter from Rees to Garabedian	154
17	Exhibit P16.237-239	11/20/17 email from Lehman to alumni	129
18	Exhibit P16.242-243	4/23/16 email from Lehman to alumni	127
20	Exhibit P16.33	demerits sixth form	100
21	Exhibit P16.42	12/13/96 letter from Advisor Lodish to Mary Ellen Poulos	125
22	Exhibit P16.53	8/7/96 letter from Asst. Headmaster Price to Poulos	124
23	Exhibit P16.62	8/8/96 letter from Poulos to Ralston	125
24	Exhibit P16.72	demerits fourth form	99
24	Exhibit P16.73	demerits third form	98
25	Exhibit P16.118	dorm parent/ advisor Lodish memorandum	94
	(Continued)		



Kurtis W. Poulos

1	EXHIBITS (Continued)		
2	Exhibit P100.1	sixth form yearbook photo	107
	Exhibit P100.2	sixth form yearbook photo	108
3	Exhibit P100.3	photo - Andres	108
	Exhibit P100.4	photo	109
4	Exhibit P100.5	photo	109
	Exhibit P100.6	photo - Whitlock	109
5	Exhibit P100.7	photo	109
	Exhibit P100.8	photo	109
6	Exhibit		
7	Garabedian		
	0240-0303	HITECH letters/authorizations	158
8	Exhibit D-1		
	Garabedian 029-032 email string		
9	Mary Ellen Poulos/Garabedian		192
10	(Original exhibits attached to original transcript.)		
	(Exhibit P16.228 was not provided and is not attached to		
11	transcript.)		
	(Copies of exhibits attached to transcript copies.)		
12			
13			
14	P R E V I O U S L Y M A R K E D E X H I B I T S		
15	NUMBER	PAGE IDENTIFIED	
16			
17	(None mentioned.)		
18			
19			
20			
21	R E Q U E S T S		
22			
23	REQUEST	PAGE	LINE
24			
25	(No requests to produce documents were made.)		

0507a

Kurtis N. Poulos

1 VIDEOPGRAPHER: We are now on the record.  
2 My name is Jeff Sindiong, and I am the videographer  
3 for Golkow Litigation Services. Today's date is  
4 November 19th, 2020. And the time on the screen is  
5 10:16. This remote video deposition is being held  
6 in the matter of John Doe versus Mitchell  
7 Garabedian, Esquire, et al., for the United States  
8 District Court for the Eastern District of  
9 Pennsylvania. Our deponent today is Kurtis Poulos.

10 All parties to this deposition are  
11 appearing remotely and have agreed to the witness  
12 being sworn in remotely. Due to the nature of  
13 remote reporting, please pause briefly before  
14 speaking to ensure all parties are heard completely.

15 Will counsel please identify themselves  
16 and who they represent.

17 MR. JUBB: Good morning. Lane Jubb for  
18 plaintiff as well as Louis Tumolo for plaintiff.

19 MS. DOUGHERTY: Candidus Dougherty from  
20 Swartz Campbell on behalf of Mitchell Garabedian.

21 VIDEOPGRAPHER: Our court reporter is Lynn  
22 Bayer and will now swear in the witness.

23 KURTIS N. POULOS, called as a witness  
24 herein, having been first duly sworn, was examined  
25 and testified as follows:

0508a

Kurtis N. Poulos

1 EXAMINATION

2 BY MR. JUBB:

3 Q Mr. Poulos, good morning.

4 A Good morning.

5 Q Because we're operating under the current  
6 circumstances using this technology, I appreciate,  
7 you know, you putting your phone right there so that  
8 we can see you. It's not going to be the same as me  
9 sitting in the same room with you; so at any point in  
10 time if you can't hear me, I just need you to tell  
11 me. Sometimes if for whatever reason maybe I can't  
12 hear you and you're speaking, you can always just  
13 wave your hands just to let me know. But, otherwise,  
14 I can hear you just fine right now. Okay?

15 A Sounds good.

16 Q At any point in time if you want me to repeat a  
17 question or you just don't understand it, just let me  
18 know, I'm happy to rephrase it. That's my job. Fair  
19 enough?

20 A Fair enough.

21 Q If you answer my question, though, I'm going to  
22 assume that you understood it. Is that fair?

23 A It is.

24 Q And I just want to make sure, no one entered during  
25 your introduction for you as counsel, am I correct,

0509a

Kurtis N. Poulos

1           you're not represented today?

2       A       That's correct.

3       Q       And where are you physically located today?

4       A       I'm at my mother's apartment currently.

5       Q       Is she in the room with you?

6       A       She is.

7       Q       And can she hear everything we're saying?

8                       THE WITNESS:   Can you hear everything?

9                       MS. POULOS:   Pretty much.

10      A       For the most part.

11      BY MR. JUBB:

12      Q       And she's not your lawyer, correct?

13      A       She is not, no.

14      Q       She's actually -- I'm going to have to ask her to

15               leave, to step out, because she's potentially a

16               witness in case and so she can't sit in on it.

17                       THE WITNESS:   He's saying you need to step

18               out because you're potentially a witness.

19                       MS. POULOS:   I'm not gonna.

20      A       She said no.

21      BY MR. JUBB:

22      Q       Do you want to put herself on camera?

23      A       She does not want to appear on camera today, no.

24      Q       And your mom's background, she was a lawyer for about

25               40 years; is that right?

Kurtis N. Poulos

1 A Correct.

2 Q And how old is she now?

3 A 74.

4 MS. DOUGHERTY: Mr. Jubb, could we just  
5 have Mr. Poulos' mother identify herself so we have  
6 her full name on the record. Because we've just  
7 been referring --

8 MR. JUBB: Yeah.

9 MS. DOUGHERTY: -- to her as his mother.

10 MR. JUBB: I'm going to get there, Candi.  
11 Thank you.

12 MS. DOUGHERTY: Okay.

13 BY MR. JUBB:

14 Q All right. Am I correct that within your mother's  
15 apartment, is she able to communicate with you in any  
16 way right now?

17 A Yeah.

18 Q And her full name?

19 A Mary Ellen Poulos.

20 MR. JUBB: Ms. Poulos, can you hear me?

21 MS. POULOS: Yes.

22 MR. JUBB: Great. Do you want to be on  
23 camera today?

24 MS. POULOS: No.

25 MR. JUBB: Do you want to be sworn in?

0511a

Kurtis N. Poulos

1 MS. POULOS: No.

2 MR. JUBB: Do you intend to assist your  
3 son with this?

4 MS. POULOS: No. He's in my house.

5 MR. JUBB: Do you have any other rooms?

6 MS. POULOS: Why do you -- why do I need  
7 to leave? The deposition is a public event.

8 MR. JUBB: No. That's a trial. Are you  
9 willing to --

10 MS. POULOS: No, a deposition is an  
11 extension of the trial, so it's a public event.  
12 Everything with you is an argument. I'm sitting  
13 here.

14 MS. DOUGHERTY: Ms. Poulos, I think if you  
15 are going to be present, you probably need to be on  
16 camera because there is an issue with we need to  
17 make sure that Mr. Poulos is answering the questions  
18 without assistance or looking at the documents that  
19 Mr. Jubb or myself might show him. So I --

20 MS. POULOS: Well, that's up to --

21 (Interruption by the reporter.)

22 MS. DOUGHERTY: I'm sorry? I didn't  
23 either.

24 THE WITNESS: Then fine. I'll just do  
25 this by myself. She was just here for moral

0512a

Kurtis N. Poulos

1 support. She can go in her room. I'll stay in the  
2 dining room. Okay. We're good.

3 MR. JUBB: Thanks, Mr. Poulos.

4 Q And would you do me a favor and let me know if for  
5 whatever reason, she needs to come get a drink of  
6 water or just walk around her house, you know, that's  
7 fine. You just gotta let me know. Okay?

8 A That's fine.

9 Q Now, the house where you're currently located, what's  
10 the address there?

11 A 500 Bradley Road, Apartment B104, Fox Point,  
12 Wisconsin 53217.

13 Q And do you also live there?

14 A No.

15 Q When was the last -- strike that. Have you ever  
16 lived there previously?

17 A Yeah. Up until 2016 after I got out of the hospital,  
18 I lived here.

19 Q Have you reviewed any documents in anticipation of  
20 today's deposition?

21 A Just the documents that have been emailed to me in  
22 the past six months.

23 Q Do you have any of them printed out with you?

24 A I do not.

25 Q Did anyone assist you in reviewing those documents?

Kurtis N. Toules

1 A No, they did not.

2 Q What's your current address?

3 A 3239 West Colony Drive, Greenfield, Wisconsin 53221.

4 Q How far way is 3239 West Colony from 500 Bradley?

5 A About 20, 25 minutes.

6 Q How long have you lived on West Colony?

7 A Since August of 2018.

8 Q Do you live with anyone?

9 A No. Just my dog.

10 Q Approximately how long did you live at 500 Bradley?

11 A Two years, and then I moved to Connecticut for two  
12 years, and then I moved back to Milwaukee.

13 Q What was your address in Connecticut?

14 A The first one I believe was 1513 -- man, I can't  
15 remember the address. The other one was in Hamden.  
16 So I lived in Orange, Connecticut, for a year; and  
17 then I moved to Hamden, Connecticut. But it's not  
18 like I ever wrote my own self a letter that I needed  
19 my address.

20 Q Okay. So, in other words, there's two addresses in  
21 Connecticut where you lived, but you can't recall the  
22 street address; is that right?

23 A Correct.

24 Q And you said approximately how long ago did you live  
25 there?



Kurtis N. Poulos

1 A Up until March of 2018.

2 Q What do you do for a living?

3 A I work for Russ Darrow Automotive Group.

4 Q What do they do?

5 A We sell cars and buy them.

6 Q Are you a car salesman?

7 A Yes. But I also do internet sales. So appointment

8 setting, stuff like that.

9 Q How long have you been in car sales?

10 A Since January of 2017 when I worked in Connecticut.

11 Q At your current address, do you have access to --

12 your current home address, not the 500 Bradley, the

13 3239, do you have access to internet there?

14 A Yes, I do.

15 Q Do you have a printer or a scanner access anywhere?

16 A I have a printer and a scanner.

17 Q Your email addresses, what email addresses do you

18 have?

19 A LEX101078. And I have a work email.

20 Q What's that one?

21 A Kurt dot Poulos at Russ Darrow dot-com.

22 Q And I think all the correspondence that we have been

23 going back with you on has been on your LEX email

24 address; is that right?

25 A Right.

0515a

Kurtis N. Foules

1 Q And what does LEX stand for?

2 A Lex Luthor. It's an inside joke from friends.

3 Q What's the joke?

4 A I shaved my head one night before a party and I had  
5 to wear a black suit, so they said I looked like Lex  
6 Luthor. Nothing more.

7 Q Lex Luthor the villain to Superman?

8 A Yes.

9 Q When you send me emails, it comes up as Kurtis  
10 Froedtert. Do you know why that is?

11 A Froedtert. Comes up --

12 Q Froedtert.

13 A -- as Kurtis Froedtert, as in Froedtert Memorial  
14 Hospital. It comes up that way so that my dad  
15 doesn't see my online presence.

16 Q Is there some special name about Froedtert or is it  
17 just a hospital?

18 A Froedtert is my great grandfather.

19 Q On your mom's side?

20 A No. My dad's side. It's who I was named after.

21 Q You said grandfather or great grandfather?

22 A Great grandfather.

23 Q And why is it -- strike that. Can you explain to us  
24 why you have that as your name?

25 A Because I don't want my father tracking my online

1 social media accounts.

2 Q Does he do that?

3 A Yeah, because he -- we don't speak to each other; so  
4 the only way he can find out what's going on in our  
5 lives is to try and find us on social media.

6 Q When was the last time you talked with your dad?

7 A Face to face? Ten years. Maybe seven. Only by  
8 text, and that was October of 2015.

9 Q Why haven't you spoken to him?

10 A Because he's not a good human being.

11 Q Why not?

12 A Too many reasons to say right now. And it's...

13 Q What does your dad do for a living?

14 A I have no clue. Last I heard, he works as a grocer  
15 at a grocery store. But that was a year ago that  
16 somebody told me that.

17 Q Does he live nearby?

18 A I believe he lives in Shorewood.

19 Q How --

20 A Again, I don't know.

21 Q I'm just trying to get an understanding as to what  
22 you can recall or what you do know. Did you say  
23 Charlotte?

24 A Shorewood.

25 Q Shorewood, okay.

1 A Shorewood.

2 Q So at the time when you were younger, approximately  
3 how old were you when your parents got divorced?

4 A I guess two or three.

5 Q Did you stay in touch with your dad then?

6 A Up until I was about 23. Off and on.

7 Q Did you ever live with him?

8 A Just weekends.

9 Q What happened when you were 23?

10 A We had a falling out.

11 Q Can you tell me what happened?

12 A Not at this particular time. Again, it was a long  
13 time coming, let's just put it that way.

14 Q A long time coming meaning there was a bunch of  
15 instances that led to the falling out, right?

16 A Correct.

17 Q Like what?

18 A Like a list of things that I'm not going to get into  
19 at this time.

20 Q Are they things that upset you?

21 A Very much so.

22 Q Would you ever describe him as a good dad prior to  
23 when you were 23?

24 A He had his moments.

25 Q What stands out in your mind as the event when you

1           were 23? Because that's a long time ago, you recall  
2           that number pretty well.

3                       MS. DOUGHERTY: Objection. How is any of  
4           this reasonably calculated to lead to the discovery  
5           of admissible evidence regarding the defamation  
6           claim arising from the two letters?

7                       MR. JUBB: Candi, you --

8                       MS. DOUGHERTY: I mean, you're -- well,  
9           no --

10                      MR. JUBB: State your objection.

11                      MS. DOUGHERTY: -- I don't have to sit  
12           here and listen to you ask completely irrelevant  
13           questions to a witness who is pro se and doesn't  
14           know better. So I want you to just articulate to me  
15           what the basis for asking the witness whether his  
16           father was a good dad prior to him being 23, why  
17           that has any connection to the claims. If you're  
18           not going to move on, then I guess we're going to  
19           have to get the judge on the phone because we're not  
20           going to sit here and all and probe the relationship  
21           with Mr. Poulos and his father. That has nothing to  
22           do with the claims in the case.

23                      MR. JUBB: It does. It has --

24                      MS. DOUGHERTY: How?

25                      MR. JUBB: -- something to do with it.

1           It's certainly discoverable. I mean, he -- just  
2           stop, you know, let -- I'm not going to spend all  
3           day going back and forth about what is and what's  
4           not discoverable. Your objections are limited to  
5           form. And I'm asking him what at 23 led to him not  
6           speaking to his dad. That's all. So if you want to  
7           object to the way I asked the question, that's fine.  
8           I'm happy to rephrase it. But please.

9       Q     So I'll tidy up the question for you. What happened  
10           when you were 23 that led to this no longer  
11           relationship with your dad?

12      A     I was currently moving to Maryland at the time. We  
13           got into an argument over money. And he made a  
14           comment about my mother, went to attack me. I fought  
15           back, packed up my stuff, and drove straight through  
16           the night.

17      Q     Back to Wisconsin?

18      A     No. To Maryland.

19      Q     To Maryland. So this occurred in Wisconsin and then  
20           you drove to Maryland?

21      A     No. That happened in Detroit.

22      Q     Were you living in Michigan at any point?

23      A     No.

24      Q     Were you there visiting your dad?

25      A     I was visiting my sisters.

Kurtis N. Toules

1 Q Are they your full biological sisters?

2 A No. I have no full biological siblings.

3 Q Were the individuals that you refer to as your  
4 sisters your father's biological children?

5 A Correct.

6 Q Do you still keep in touch with them?

7 A No.

8 Q When was the last time you spoke with them?

9 A I'm not sure how that's relevant, but 2010.

10 Q Each of them around 2010?

11 A All of them the same day on 2010.

12 Q Do you have any other brothers or sisters?

13 A I have one half brother; and I've been told I have  
14 another half sister, but I've never met her.

15 Q Your half brother, is that through your dad?

16 A Correct.

17 Q Is he younger or older?

18 A Younger.

19 Q Are your other half sisters, are they younger or  
20 older?

21 A They're all at least 20 years younger than I am.

22 Q You mentioned that you may have another half sister  
23 you've never met. Is that also on your dad's side?

24 A Correct.

25 Q Would you believe she's older or younger?

0521a

Kurtis N. Toules

1 A She's much younger.

2 Q Have you ever gone by any other names?

3 A No.

4 Q Have you ever gone by any other aliases?

5 A No.

6 Q So your mom, who was on this deposition just a bit  
7 ago, how long have you lived with her? And I know  
8 you mentioned you were there a little bit after you  
9 got out of the hospital. But are there any other  
10 times that you've lived with her?

11 A Yeah. I lived with her after my restaurant went out  
12 of business. I was forced basically into near  
13 bankruptcy.

14 Q When was that?

15 A 2011, maybe 2012.

16 Q Did you own a restaurant or were you a cook?

17 A I was part owner of a restaurant.

18 Q What was it called?

19 A Durango Barbecue and Grill.

20 Q Was that in Wisconsin?

21 A It was downtown Milwaukee, correct.

22 Q And what did you do prior to operating that  
23 restaurant?

24 A For years, nothing. Worked odd jobs, worked for  
25 J. Crew for a few years. That was after I had moved



1 back from Maryland. So nothing, nothing crazy.

2 Q So you went from I guess working at J. Crew to then  
3 owning or partly owning a restaurant; is that right?

4 A Yeah. I may have had a job in between there working  
5 in phone sales, I think. It's hard to remember.

6 Q What type of ownership was it? I mean, did you own  
7 most of it, was it a bunch of people that were in,  
8 was it one other person?

9 A There were three of us total. I had a total  
10 investment of nearly \$20,000. I believe -- so I  
11 would have been the minority shareholder.

12 Q When did you start that? You mentioned that it was  
13 around 2011, 2012 when it went out of business. But  
14 when did you start that?

15 A February of 2010.

16 Q So from the time that we're going to talk about when  
17 you were younger, do you recall officially -- when  
18 your parents had officially been divorced as opposed  
19 to just separated and having some issues? Or was  
20 that too young?

21 A They were --

22 MS. DOUGHERTY: Objection.

23 A -- always divorced.

24 MS. DOUGHERTY: Objection. I think that I  
25 said it when he was talking.

Kurtis N. Poulos

1 MR. JUBB: That's okay.

2 Q And, Mr. Poulos, when she's objecting to the form, if  
3 you could just wait like a half a second before  
4 responding to my question just in case she has any.  
5 That way it makes it easier for the court reporter to  
6 take all that information down. Okay?

7 A Okay.

8 Q Getting back to my last point, am I correct then that  
9 as far as your memory goes back, they have always  
10 been divorced, correct?

11 A Correct.

12 Q When you were in the 13-, 14-year-old age, was your  
13 mom practicing law then?

14 A Yes.

15 MS. DOUGHERTY: Objection.

16 A This is impossible.

17 MR. JUBB: Candi, did you object?

18 MS. DOUGHERTY: I did.

19 BY MR. JUBB:

20 Q Okay. So during that time frame, what did your dad  
21 do?

22 A He worked as a consultant.

23 Q Consulting what? You mentioned he had his own  
24 business, right?

25 A He did consulting work for multiple companies to

Kurtis N. Poulos

1 better manage them -- or better manage their  
2 employees and their payrolls. That's --

3 Q Like in human resources?

4 A -- what -- no, no. Like consultant. Like, you hire  
5 him, he comes in, revamps your company, you pay him a  
6 lot of money, and he leaves.

7 Q Okay. And did he do that work from the time you were  
8 around that 13 age for how long?

9 A I don't know.

10 Q But now he's working at a grocery store, right?

11 MS. DOUGHERTY: Objection.

12 A I don't see what any of this has to do with any of  
13 this.

14 BY MR. JUBB:

15 Q I'm just trying to get an understanding as to your  
16 relationship that you had with your dad and what he  
17 was doing at the time for work. So as of -- when you  
18 were around 13, he was doing consultant work where he  
19 would go into companies, revamp them, he'd get paid  
20 and then he would leave. And I'm just trying to  
21 understand that process of what he did next. And we  
22 can do it in the context as I go through your age if  
23 that's going to be more helpful for you to recall.

24 MS. DOUGHERTY: Mr. Jubb, I think that  
25 Mr. Poulos was asserting an objection and

0525a

Kurtis N. Poulos

1           questioning how your questions are reasonably  
2           calculated --

3                   MR. JUBB: Are you representing him?

4                   MS. DOUGHERTY: I'm not, but he's a pro se  
5           litigant. And --

6                   MR. JUBB: And I just clarified my  
7           question, I said I'm happy to ask you as we go  
8           through your background. So if you want to give  
9           legal advice to a pro se witness who you have  
10          contra-interest to, feel free. I don't think you  
11          meant to do that. But if you want to keep your  
12          objections to form, I've asked Mr. Poulos  
13          specifically if he prefer I ask these types of  
14          questions as I go through his specific ages. So --

15                  MS. DOUGHERTY: Mr. Jubb, maybe if you  
16          hadn't interrupted me and you let me finish my  
17          sentence, you would have learned what I was going to  
18          say. Please don't do that anymore. As you know --

19                  MR. JUBB: This is my deposition. I can't  
20          even hear what you're saying. Your mouth is moving.  
21          We can't hear you. Your headset is not close  
22          enough. If you have an objection, it has to be  
23          objection to the form. This is a federal court  
24          deposition.

25                  MS. DOUGHERTY: I'm sorry, is the court

0526a

Kurtis N. Poulos

1 reporter unable to hear me?

2 THE REPORTER: I can hear you.

3 MS. DOUGHERTY: Okay. Raise --

4 MR. JUBB: You --

5 MS. DOUGHERTY: -- your hand if nobody --

6 you know why? Because you're interrupting me. I'm

7 speaking and you're trying to talk over me.

8 Mr. Poulos, can you hear me?

9 THE WITNESS: Loud and clear.

10 MS. DOUGHERTY: Mr. Jubb, can you hear me?

11 MR. JUBB: Yes.

12 MS. DOUGHERTY: Mr. -- I don't know how to

13 stay your last name, Tumolo, can you hear me?

14 MR. TUMOLO: Tumolo. Now I can. It was a

15 little jumbled before.

16 MS. DOUGHERTY: The court reporter can

17 hear me?

18 THE REPORTER: Yes.

19 MS. DOUGHERTY: As you know, Mr. Jubb, you

20 are not entitled to ask questions that are outside

21 the scope of discovery. If it's going to continue

22 to be an issue, then we can get the court on the

23 phone and somebody can move for a protective order.

24 Whether it be me or Mr. Poulos.

25 MR. JUBB: Are you trying to instruct this

0527a

1 witness what to do legally?

2 MS. DOUGHERTY: I'm not instructing him  
3 what to do. Should we just get the court on the  
4 phone, or are you just going to continue to abuse  
5 the pro se litigant?

6 MR. JUBB: I'm not abusing anyone.

7 MS. DOUGHERTY: Really? How is whether he  
8 had a falling out with his father at the age of 23  
9 in any way related to the two letters that are at  
10 issue in this case? How?

11 MR. JUBB: I think I explained --

12 MS. DOUGHERTY: You also know that you  
13 already asked background questions in written  
14 discovery to Mr. Poulos to which you moved to  
15 compel, and the court denied your motion and agreed  
16 that they weren't.

17 MR. JUBB: They were --

18 (Interruption by the reporter.)

19 MS. DOUGHERTY: Right, because Mr. Jubb  
20 can't -- I'm sorry, Mr. Jubb can't help himself. He  
21 just has to interrupt me. You know that you have  
22 been asking about Mr. Poulos' employment and  
23 background. We've -- I asked you, I think  
24 Mr. Poulos has asked you to describe how the line of  
25 questioning is related to the claims. Are you

Kurtis N. Poulos

1 refusing to do that?

2 MR. JUBB: Are you finished?

3 MS. DOUGHERTY: So you won't tell us how  
4 your line of questioning relates to the two letters  
5 that are at issue in the case?

6 MR. JUBB: I'm just asking if you're  
7 finished with that speech, Candi.

8 MS. DOUGHERTY: So you won't answer me?

9 MR. JUBB: I'm going to answer you if I  
10 know you're finished. Are you finished, ma'am?

11 MS. DOUGHERTY: Yes.

12 THE WITNESS: Jesus, why am I even here?

13 MR. JUBB: My question to Mr. Poulos which  
14 was the basis of your objection was what his dad did  
15 from the time he went from a consultant for  
16 companies to ultimately now working at a grocery  
17 store. They've had a falling out. I'm asking what  
18 if anything transpired in that time as to his  
19 employment. If that's the basis of your objection,  
20 then say objection. I don't understand. If your  
21 position is I'm not allowed to explore his  
22 background on what was going on during this time,  
23 that's wrong. And we can address it with the court.  
24 But I'm going to do that at the end. Because I'm  
25 going to get a list of all of the times that you

0529a

Kurtis N. Poulos

1 object, then we'll address all of them with the  
2 court separately.

3 MS. DOUGHERTY: Okay. But --

4 MR. JUBB: So your objection is noted.

5 MS. DOUGHERTY: I'm sorry. Your answer is  
6 that what Mr. Poulos' father did after the time when  
7 Mr. Poulos was in high school is related to the two  
8 letters?

9 MR. JUBB: Yes. It's discoverable. And  
10 you'll see if you just let me get through this  
11 deposition. You'll have time to ask your questions  
12 and try and correct anything. Okay? Can I proceed?

13 Q Mr. Poulos, can you hear me?

14 A I can hear you just fine. I'm still wondering what  
15 this has to do with anything. I had little to no  
16 relationship, so why would I know what he's been  
17 doing in the interim?

18 Q Got it. So --

19 A Again, I...

20 Q Are you done?

21 A Evidently.

22 Q If you'd like to say anything further, please.

23 A Nope.

24 Q Okay. So approximately 1992, where did you go before  
25 The Hill School?



Kurtis N. Toules

1 A Shorewood Intermediate School.

2 Q Who did you live with?

3 A Not sure how this is relevant at all.

4 Q It's relevant to test your recollection at the time,  
5 sir. Who did you live with?

6 A Fine. I lived with my mother. I pretty much always  
7 lived with my mother.

8 Q Had you ever visited The Hill School before applying  
9 there?

10 A No.

11 Q Did you want to go there?

12 A I applied there. Then I went out for a visitors'  
13 weekend. I decided I liked the campus, the  
14 atmosphere, the ability to learn at an accelerated  
15 rate.

16 Q And then your date of birth is what?

17 A October 10th, 1978.

18 Q Am I correct that the first time you attended The  
19 Hill School was the fall of 1993?

20 A Yes. I would have been 14 years old.

21 Q Did you know anyone at the school at the time that  
22 you had gone there?

23 A I only knew my cousin.

24 Q What's his name?

25 A Jason Zwerner. Now, can I ask a question off the

1 record?

2 Q If there's a question that you have related to the  
3 dep -- if there's a question that you have related to  
4 one of my questions, I'm happy to clarify for you.  
5 Is it related to the deposition?

6 A It's related to a document that I was sent.

7 Q Why don't we just get through my questions, and to  
8 the extent that it's something -- here's the thing.  
9 If you want to say something about a document related  
10 to this case, I think it's probably most appropriate  
11 that it's on the record. So why don't you just let  
12 me get through my questions; and if it's --

13 A Okay.

14 Q -- relevant to your answers, that might be a good  
15 time to mention it. Was there anyone other than your  
16 cousin Jason Zwerner that you knew at the school  
17 prior to going there?

18 A No.

19 Q Were you --

20 A Well, my grandfather went to school there. But he  
21 obviously wasn't attending there when I went. My  
22 grandpa's brother also attended. He graduated in  
23 1933 and my grandfather graduated in 1934. They both  
24 went to Yale and then fought in World War II.

25 MR. TUMOLO: For the record, I hate to

1 interrupt here, but I can pick up a voice whispering  
2 things to Mr. Poulos. So if there's someone in the  
3 room, again, we just need to know that.

4 THE WITNESS: There's a TV on in the other  
5 room. I mean, it's a two-bedroom apartment.

6 MS. DOUGHERTY: Sorry, what -- can I just  
7 ask a question for clarification. When did you hear  
8 whispering? Because I didn't hear whispering.

9 MR. TUMOLO: I heard a voice right before  
10 he began that last response.

11 MS. DOUGHERTY: Okay.

12 MR. JUBB: Yeah. And if it's the TV --  
13 we'll try and keep going.

14 Q But can you hear the TV right now, Mr. Poulos?

15 A No. She shut her door.

16 Q Okay. Right. So that was going to be my next  
17 question. Obviously you didn't go to the school with  
18 your grandpa or your grandpa's father, but I imagine  
19 that that's how you learned of the school in the  
20 first place. Is that fair?

21 A Yes. We were legacies.

22 Q And is he your biological grandfather?

23 A No. He is my mother's stepfather.

24 Q Did you ever know your biological grandfather on your  
25 mother's side?

Kurtis N. Toules

1 A Yes.

2 Q How often did you see your step-grandfather at that  
3 time?

4 A Not very often. I was living at the high school.

5 Q I'm sorry. I meant -- we're just focusing on the  
6 time before you got there. So I'll clarify my  
7 question. How often did you see your grandfather  
8 during the time up to when you first started to live  
9 at the school?

10 MS. DOUGHERTY: Which grandfather are we  
11 talking about?

12 MR. JUBB: The one that went there.

13 A Proxmire was a little busy in the Senate up until  
14 1988, so I didn't get to see him very much because he  
15 lived in D.C. He'd come in town every once in a  
16 while and do, you know, a meet-and-greet. Otherwise,  
17 maybe once a year out in D.C. if we had time to go  
18 and visit. But he was typically very busy because he  
19 actually did his job when he was a senator.

20 Q As far as you can recall, what dorm did you stay in  
21 that third form year? And when I say third form, you  
22 understand that that's referring to --

23 A I understand what -- yes. Third form I was in the  
24 upper school building.

25 Q What floor of upper school for your third floor --

0534a

1 for your third form year?

2 A Third floor.

3 Q Who was your dorm parent?

4 A I honestly -- I think his last name started with an  
5 L. He was not very into being part of the atmosphere  
6 of the dorm. He just sat in his apartment on his  
7 phone.

8 Q What type -- he had a cellphone?

9 A No. Like a home phone. It was 1993. Who had a  
10 cellphone?

11 Q That's why I asked it. So you're saying that your  
12 relationship with the dorm parent for your third form  
13 year was essentially --

14 A Nonexistent.

15 Q Nonexistent. Okay. Did you have a roommate?

16 A Yes.

17 Q Who was your roommate?

18 A John Knapp, Knaph. It was very German. I think it  
19 was K-N-A-P-H or P-F. He was my freshman roommate.

20 Q Do you keep in touch with any of the -- strike that.  
21 Do you keep in touch with Mr. Knaph?

22 A No. He was kicked out of school.

23 Q That year?

24 A After freshman year, correct.

25 Q During that -- strike that. During your third form

1 year, did you play any sports?

2 A I was planning on joining the ski team until I broke  
3 my arm. So my freshman year I was training for ski,  
4 and then I broke my arm at the beginning of the ski  
5 season and couldn't perform in sports for eight  
6 weeks.

7 Q Was the ski team something that was part of the  
8 winter or was that something for the fall?

9 A That was something you trained in the fall for and  
10 then you skied in the winter.

11 Q What did you do for spring?

12 A I honestly don't remember.

13 Q During your freshman year, do you recall what classes  
14 you took?

15 A French, algebra, English, biology, History of Art and  
16 Music. I think that's it. Six or seven courses is  
17 all we had.

18 Q Do you recall who your algebra teacher was?

19 A No, I do not. I don't remember most of my teachers,  
20 to be honest. Just the ones who had positive and  
21 negative impact on me.

22 Q During that time frame, were you going home during  
23 breaks?

24 A I would go home for Thanksgiving, Christmas and  
25 spring breaks. It wasn't realistic to go home for a

1 long weekend. And --

2 Q And when you say home -- sorry to interrupt you.

3 A Back to Milwaukee. And correct me if I'm wrong,  
4 don't you have my transcripts?

5 Q I believe I do, yeah.

6 A Okay. So then you should be able to get all the  
7 teachers' names from that.

8 Q I appreciate that. Am I correct that you can't  
9 recall their names that year, though?

10 MS. DOUGHERTY: Which one are you asking  
11 about? Any of them or --

12 MR. JUBB: Well, I think his testimony is  
13 he doesn't remember most of the teachers. So I --

14 A I don't remember 90 percent of the people I met at  
15 that school.

16 Q Okay. Am I correct -- let me ask it this way. Is  
17 there any teacher from any of the classes that you  
18 attended that third form year that you can recall?

19 A Yeah. I can remember my English teacher, but I can't  
20 remember her name. I remember her because she -- I  
21 can remember her because she went out of her way to  
22 help me get my grades up. But other than that, no.  
23 I remember one teacher's name from my sophomore year  
24 or my fourth form year, and that's because he was my  
25 hall master. I remember one teacher's name from my

1 sixth form year. Oh, make that two. One because he  
2 lived in --

3 Q I'm just -- I'm sorry, Mr. Poulos. I'm going to go  
4 through the years chronologically just so we're all  
5 following the same page. So we'll get there.

6 MS. DOUGHERTY: Objection. You can't stop  
7 him in the middle of an answer.

8 MR. JUBB: I think it was because he was  
9 trying to recall off the top of his head, and I'm  
10 trying to organize this deposition, Candi. Please.

11 Q So in the third form year, am I correct that at least  
12 with respect to the -- your teachers for French,  
13 algebra, English and HAM, you don't recall their  
14 names?

15 A No, I do not remember the name of the teacher who  
16 taught HAM. Interesting that you called it that  
17 because only students who went to that school called  
18 it HAM.

19 Q And with respect to your third form year, do you have  
20 any recollection what you did in the spring, or were  
21 you just injured with that wrist problem you had?

22 A I think I was still recovering from having a broken  
23 wrist. So I might have been playing light  
24 intramurals.

25 Q Did you have what's known as a work job?



1 A No.

2 Q At any point in time, did you ever transfer a dorm or  
3 were you on the third floor upper school the entire  
4 year?

5 A I was always in that room.

6 Q And for the entirety of your third form year, was  
7 Mr. Knaph your roommate?

8 A Correct.

9 Q Who was your advisor?

10 A I don't remember.

11 Q During your freshman year, did you develop any group  
12 of friends at all?

13 A Yeah. I had a few groups of friends.

14 Q Who were they?

15 A Specific names?

16 Q Yeah, that you can recall.

17 A I can't recall any of them.

18 Q At any point in time during your third form year, did  
19 you ever require any sort of psychological treatment?

20 A No. I stopped eating properly, but that had nothing  
21 to do with -- I don't know. I wasn't eating full  
22 meals. But I didn't get treatment for it.

23 Q Why weren't you eating?

24 A Frankly, because I wanted to be in my dorm room as  
25 much as possible.

Kurtis N. Toules

1 Q Is there any particular reason?

2 A Because it was safe there.

3 Q What was unsafe that year?

4 A Being approached by teachers inappropriately.

5 Q Are there multiple teachers that you can recall that  
6 you thought you were being approached by  
7 inappropriately?

8 A Nope. Just one.

9 Q During that year. And am I -- at any point in time,  
10 did you bring any of what you considered to be being  
11 approached inappropriately by teachers to anyone's  
12 attention?

13 MS. DOUGHERTY: Objection.

14 A No, I didn't. I was going to object as well. No, I  
15 don't want to answer that.

16 BY MR. JUBB:

17 Q So you're the witness, you did answer it. And I'm  
18 going to ask a follow-up question on it. Am I  
19 correct that during that year, you did not bring to  
20 anyone else's attention, whether it be other  
21 teachers, whether it be a supervisor, whether it be  
22 your parents, whether it be a medical provider, or  
23 any other student, anything that you felt was being  
24 approached inappropriately by teachers?

25 A No.

1 Q That summer when you went home, did you work?

2 A So I would have been 15 years old. No, I do not  
3 believe so.

4 Q Do you have any recollections about that summer after  
5 your freshman year?

6 A Just hanging out with friends. Mostly --

7 Q Your friends at home, were they neighbors, were they  
8 kids you knew from Shorewood, family, who were they?

9 A Kids I knew from Shorewood.

10 Q So when you come back for your sophomore year, the  
11 fourth form year, do you recall what classes you took  
12 that year?

13 A Geometry, European history, French, English  
14 literature. For science I honestly don't remember.  
15 European history, French, geometry, English lit. You  
16 can tell they obviously made a huge impact on my  
17 life. I don't remember the other three.

18 Q Do you recall if you took -- what science you took?

19 A No, I don't. Because I took chemistry junior year  
20 and I took physics senior year. And I never took AP  
21 bio.

22 Q Do you recall any of the names of your teachers for  
23 that year?

24 A I recall two. One was Mr. Drowne, he was my European  
25 history teacher. He was also my hall master my

1 fourth form year. And I remember the name of my  
2 geometry teacher.

3 Q Do you recall how the scheduling of classes worked  
4 then?

5 A It was always a rotating class schedule. So the  
6 class you had first on a Monday you had, what, second  
7 on Tuesday; whatever you had on your last class  
8 Monday became your first class Tuesday. So it's just  
9 a constant round robin. Now, I might have that  
10 backwards; but I'm pretty sure one went to two, two  
11 went to three, three to four. We had --

12 Q So --

13 A -- a school...

14 Q Okay. So if I'm understanding you correctly,  
15 whatever order the classes you had on Monday, let's  
16 say one through five or one through seven, then on  
17 Tuesday would start with two, and one would go to the  
18 end of the line? And --

19 A Correct.

20 Q -- then on Wednesday, you would start with three, and  
21 two would go to the end of the line; is that fair?

22 A Yeah, but Wednesday -- that's not correct. Wednesday  
23 we only had a half day of classes because teams had  
24 to travel for sports. So then we had another half  
25 day of classes on Saturdays.

1 MS. DOUGHERTY: Is this the sophomore  
2 year?

3 THE WITNESS: Yes. Fourth form.

4 A Oh, I remember one other teacher's name. Mr. Long.  
5 He was my English teacher. He was also one of the  
6 football coaches.

7 By MR. JUBB:

8 Q Do you recall the approximate -- is it fair to call  
9 them like a period or the class time? What's the  
10 appropriate terminology you want me to use?

11 A Classes. Our classes I guess were about 45 minutes  
12 to an hour, but some of our classes were double  
13 period classes. Like History of Art and Music was an  
14 extended length class because we had to travel down  
15 to the Performing Arts building and sit there and she  
16 had to bring up slides and music. And so we were  
17 there for quite a bit longer.

18 Q Did you have any sort of free periods during the day?

19 A Yes. And then we had chapel on Thursdays.

20 Q Was that required?

21 A It was. But they didn't always take up the entire  
22 period of chapel. Sometimes --

23 Q Was there --

24 A -- it would just be...

25 MS. DOUGHERTY: Yes, finish your answer.

1       A       Sometimes it would just be like school announcements  
2               and a small speech, and sometimes it would be special  
3               speakers would come in or one of the students would  
4               give a speech. So it really depended from week to  
5               week what happened at chapel.

6       BY MR. JUBB:

7       Q       Was that something that was required where attendance  
8               was taken?

9       A       It was required. We had, you know, seating by your  
10              peer group or your form. So every year you moved  
11              further up in the chapel towards the front. They  
12              did -- I mean, there's 90 of us in our class. So if  
13              somebody's not there, it's pretty obvious. But it  
14              was a nondenominational chapel service. So it  
15              wasn't, like, preachy or anything like that.

16      Q       So you've told us how the class schedule works, you  
17              get the half day on Wednesday, half day on Saturday;  
18              and then the class that started in the front on  
19              Monday, that would go to the back line on Tuesday,  
20              Wednesday would be a half day; and then Thursday,  
21              same types of things, half day on Saturday.

22      A       Correct.

23      Q       Do you recall between your geometry, your English,  
24              your French, your European history, do you recall  
25              which period you had geometry?

1 A Like I said, it shifted every day. So no. Do I  
2 remember what day of the week it was specifically  
3 which period? No. That's -- unless I'm -- you  
4 know -- no, I don't remember.

5 Q Do you remember which -- sorry. I interrupted you.  
6 Are you finished?

7 A I was just saying I don't remember what order that  
8 came in in which days of the week.

9 Q Do you recall what class you had before it?

10 A I don't, no, because it changed every day.

11 Q Right. But let's say it was class number two. Class  
12 number one would come before, class number three  
13 would come after it. So that was kind of the  
14 background that I understood from your previous  
15 answers.

16 A Then yes. I don't remember the order in which my  
17 classes were of any day of the week.

18 Q During your fourth form year, what sport if any did  
19 you do during the fall period?

20 A Honestly, I don't remember because they had gotten  
21 rid of skiing that year. So I had to have done  
22 something, but I don't recall what it was.

23 Q Do you recall what sport if any you did during the  
24 winter period?

25 A I played squash.

1 Q At what level? Was it varsity, junior varsity?

2 A JV. I had never played squash before that year,  
3 so...

4 Q And what sport if any did you do during the spring  
5 period?

6 A I believe I played intramurals.

7 Q Can you explain what you mean by that, please.

8 A So you have a choice. You can either join, you know,  
9 a media group where -- like the prepping the stage  
10 for plays; or you can play a JV or a varsity sport.  
11 Or if you don't qualify for either, you can play an  
12 intramural sport. So basically it's just a bunch of  
13 students from the school playing each other every day  
14 so that -- because we don't have gym class, so we  
15 were required to do three sports a year.

16 Q Okay. So, in other words, you were required to do --  
17 when you say three sports, I assume you meant one in  
18 the fall, one in the winter and one in the spring; is  
19 that fair?

20 A Every trimester.

21 Q Okay. And so the sports, would they occur after  
22 school?

23 A Yeah. We usually had I want to say about an hour in  
24 between the end of class, maybe a little bit more, to  
25 get ready.



1 Q Who was your roommate if any during your sophomore  
2 fourth form year?

3 A I did not have a roommate my sophomore year.

4 Q Why not?

5 A None was assigned to me.

6 Q At that point, by fourth form year, are the fourth  
7 formers allowed to pick their roommates?

8 A I believe so, yes. But the roommate that I had  
9 chosen I believe did not re-attend school.

10 Q Who's that --

11 A Or I just decided that I didn't really care who my  
12 roommate was. I don't recall which one.

13 Q You mentioned that year that -- you said your  
14 European history teacher, Drowne, was your hall  
15 master?

16 A Correct.

17 Q Is a hall master the same as a dorm parent?

18 A Yeah, I guess so. But we called them hall masters.

19 Q Was --

20 A It got...

21 (Interruption by the reporter.)

22 Q I'm sorry. Mr. Poulos, I apologize. Sometimes  
23 there's a break and then I think you're finished with  
24 your answer, so I start. But if at any point in time  
25 you're not, please, you know, interrupt me, wave your

1 hand, stop me. I don't mean --

2 A Okay. So when you're a freshman and a sophomore or a  
3 third former and a fourth former, you got a hall  
4 master who lives in an apartment at the end of each  
5 hallway. Somewhere on that hallway are what are  
6 called prefects. So those are seniors who live in  
7 underclassmen dorms to make sure that we act right.

8 Q During your fourth form year, what dorm did you live  
9 in?

10 A I lived in the upper school first floor opposite side  
11 of the third form. So one whole side of the building  
12 is stacked with third formers, besides the ones that  
13 are down in Dutch Village. The other side of the  
14 building is stacked with all fourth formers besides  
15 the ones who are down in Dutch Village.

16 Q Do you recall who your prefect was?

17 A No. I just remember they always were watching  
18 Melrose Place in their dorm room. They were allowed  
19 certain things because they were technically seniors  
20 that they should have access to when the  
21 underclassmen don't have access to them. Like, say a  
22 TV or a microwave or the use of a refrigerator in  
23 their room I believe was part of it. Because when  
24 you're in sixth form, you don't have study hall, you  
25 don't have to stay in your room from certain hours of

Kurtis N. Toules

1 the night until certain hours of the night. They  
2 could come and go as they pleased throughout the  
3 night as long as one of them was there to sort of  
4 check in on us. Or we checked out with them to, say,  
5 go to the library or go to a teacher's apartment to  
6 study.

7 Q Were you close with anyone that fourth form year in  
8 upper school in your dorm? Just the floor, not the  
9 whole dorm. I'm just talking about the floor that  
10 you said.

11 A The only one I can remember offhand is Jeremy  
12 Eiserman; and that's because he was our star tennis  
13 player, he lived right across the hall from me. And  
14 he would string his own rackets in his dorm room.

15 Q Impressive. Do you keep in touch with Jeremy at all?

16 A I haven't spoken to anybody in that school for I  
17 don't know how many years.

18 Q Do you have a recollection, with respect to your  
19 classes that year, do you remember what building  
20 your -- strike that. Do you recall what science you  
21 took?

22 A Like I stated earlier, I do not remember what science  
23 I took my sophomore year.

24 Q All right. So for purposes of your English class,  
25 where was that classroom?

0549a

1       A       That was on the third form side of upper school, at  
2               the end of the hallway down one of the small  
3               corridors. You have to understand that the back of  
4               the building is completely flat with classrooms. The  
5               other side of the building has small hallways that  
6               take you into the smaller classrooms, say, my English  
7               class which only had a small round table we all sat  
8               around to discuss the books we were reading.

9       Q       So the English class would have been on the first  
10              floor of upper school just opposite to where you  
11              were?

12      A       Technically, it was in the basement.

13      Q       Okay.

14      A       Upper school is -- upper school is a total of six  
15              stories, I believe. The basement level which has all  
16              the classrooms; then the three stories that were all  
17              dormitories. And then the two stories above that  
18              were deemed unsafe to be dorms long before I was ever  
19              a student there, so it was just storage. And the  
20              only way you could access that was by elevator.

21      Q       Your French class, do you recall where that was held?

22      A       That was also in upper school down the main corridor.

23      Q       Again, in that basement that you described?

24      A       Correct. On the fourth form side of the building.

25      Q       On the fourth form side of the building.

1 A Would it be easier if I just drew this for you? I'm  
2 not trying to be a smart-ass, but...

3 Q No. I appreciate it. If the computer was working,  
4 that might have made it easier. But what I'm going  
5 to do is I just have two more questions, and I think  
6 we should just take a five-minute break and maybe  
7 during that time frame you could draw it up for us.

8 A Okay.

9 Q So with respect to your European history class, where  
10 was that?

11 A That was in a different building altogether. So I  
12 would have exited out of my dorm on the fourth form  
13 side, walked down a flight of stairs, walked about 50  
14 paces, entered another building, taken I believe it  
15 was one of the first rooms on the left-hand side of  
16 that building, which was also a fifth form dormitory.

17 Q And your geometry class, where was that located?

18 A That was in upper school, basically right at the very  
19 end of the fourth form dormitory area on the basement  
20 level, down one of the small corridors, basically  
21 mirroring my English room -- or English class,  
22 basically mirroring it. I believe they were both on  
23 the same side of the small corridors, just on  
24 opposite sides of the building.

25 Q So if you had to get to geometry class from your

1 room, how would that work?

2 A I'd walk to the end of my hallway, walk downstairs,  
3 open the door, make an immediate left down a small  
4 corridor, and go take a left and enter my geometry  
5 classroom. At that level --

6 Q I -- I'm sorry.

7 A So on that side of the building where the small  
8 corridor classes are, there are no windows exposed to  
9 the outside world. On the other side, on the main  
10 straight of classrooms where, say, my French class  
11 was, those were all facing an alleyway. So those all  
12 had natural light through windows.

13 Q All right. So why don't we take a five-minute break.  
14 We've been going for about an hour now. So you can  
15 shut off your -- I know you're having technology  
16 issues. If it's okay, our videographer, maybe he can  
17 give the best instruction.

18 VIDEOGRAPHER: Looks like he put it up in  
19 the ceiling.

20 MR. JUBB: Okay. Great.

21 THE WITNESS: I'm just going to shut off  
22 my computer and start over.

23 MR. JUBB: We'll meet back here in five  
24 minutes.

25 VIDEOGRAPHER: We are now going off the

1 record. The time is 11:26.

2 (Recess taken from 11:26 to 11:36 a.m.)

3 VIDEOGRAPHER: We are now back on record.

4 The time on the screen is 11:36. You may continue.

5 BY MR. JUBB:

6 Q Mr. Poulos, during the break, did you discuss your  
7 deposition with anyone?

8 A No, I did not. I got a bottle of water.

9 Q So with respect to your geometry class, can you tell  
10 me any of the names of any other students who were in  
11 there?

12 A No, I cannot. I'll just preface it by saying this.  
13 I'm horrible with names and faces. I always have  
14 been. That was something that I never understood  
15 about my Grandpa Proxmire, he could pull a name out  
16 of nowhere even if he hadn't seen the guy for 40  
17 years. I don't have that gift.

18 Q I take it then that none -- strike that. Were any of  
19 the students who were your -- is it dorm mates? I  
20 guess maybe that's the most appropriate. Were any of  
21 them in your geometry class?

22 A Not to my recollection.

23 Q You mentioned Mr. Eiserman. Do you recall Jeremy  
24 Eiserman ever being in your geometry class?

25 A Not to my recollection. I think I only had one class

1 with him and that was freshman year English. I  
2 think. I could be wrong.

3 Q Do you recall anyone by the name of Aaron Bluestone?

4 A Yes, I rec -- I recall the name. I don't recall what  
5 he looks like or what classes I had with him.

6 Q As you sit here today, can you recall where you sat  
7 in your geometry class?

8 A I don't believe we had assigned seating.

9 Q Was it a class where there were desks or was it  
10 similar to your English class where there was that  
11 circle table?

12 A No. You walked into the door. There was I believe  
13 three rows of seats, maybe four in each row, maybe  
14 five, and then the blackboard.

15 Q In other words, you would enter the classroom from  
16 the back?

17 A Correct. Towards the back of the class. Like I  
18 said, that door was at the very end of the hallway.

19 Q On the left, correct?

20 A Correct.

21 Q Do you recall if there were any windows in the door?

22 A I believe there was a small, almost like what you'd  
23 see in a jail cell type window, maybe six inches wide  
24 by 10 to 12 inches long. So it's not like we had a  
25 huge picture window. It was more something where if



1           you're looking through that window, it would be  
2           almost impossible to see the entire room with the  
3           door shut.

4       Q     During that fourth form year, who was your advisor?

5       A     I think it was -- I think it was the teacher who  
6           ended up being my economics professor my senior year,  
7           but I could be mistaken. And I don't remember his  
8           name.

9       Q     Does the name Krueger ring a bell?

10      A     Mr. Krueger, yes. I believe he taught economics  
11           there.

12      Q     Is that who you believe may have been your advisor  
13           that year?

14      A     I think so. Because I think he was also Jason's  
15           advisor.

16      Q     Jason being your cousin?

17      A     Correct.

18      Q     So I have that during that fourth form year you were  
19           doing squash in the winter, IM sports in the spring,  
20           and you don't recall what you were doing in the fall.  
21           Is that fair?

22      A     That's fair.

23      Q     Do you recall what --

24      A     Oh, no. I know what I was doing. I was playing  
25           golf.

1 Q In the spring or the fall?

2 A In the spring -- no, in the fall. Because cross  
3 country would use the country club to run their races  
4 when we had home meets, and we would be out there  
5 golfing while they would be running around.

6 Q And the golf in the fall, was that also junior  
7 varsity?

8 A No. I think that was just intramurals. I think it  
9 was just if you wanted to play golf, you could sign  
10 up and play golf, you just had to go and play golf  
11 every day.

12 Q Would the IM sports -- strike that. I understood  
13 your prior testimony to be that you had to do a sport  
14 every single semester.

15 A Trimester.

16 Q Right. Excuse me, trimester. Does that mean that  
17 your attendance was required for IM sports as well?

18 A Yes, it was. There would be a teacher at every  
19 intramural sports event who basically -- maybe he was  
20 a varsity or junior varsity coach earlier in the  
21 year; and that part of the season he would just go  
22 in, check off that you showed up. Sometimes they'd  
23 play with you, sometimes they'd just hang out and  
24 grade papers. I mean, it was pretty nonchalant. I  
25 think one year we played kickball for intramurals or

1 something like that.

2 Q Where was the golf course that you played?

3 A The golf course was over by the far field. So it was  
4 I want to say about a half mile off campus the way  
5 campus was laid out when I went there. Now, from  
6 what my understanding is, the campus has changed  
7 quite a bit since I was there. So it's hard to say.  
8 I also know that the entrance to the school is no  
9 longer considered 616 East High Street. I believe  
10 it's now one of the back streets as opposed to off of  
11 High Street by the dining hall.

12 Q Approximately -- strike that. Would you walk up to  
13 the golf course or would you get a ride? How did  
14 that work?

15 A No. You walked.

16 Q And did you have your own clubs?

17 A I believe I brought my clubs from home.

18 Q And during the fourth form year, did you have a work  
19 job?

20 A No. I never had a work job when I was attending that  
21 school.

22 Q How did you consider your grades your fourth form  
23 year?

24 A Up until a certain part of the year, they were pretty  
25 stellar. And then events unfolded and my grades

1 started to deteriorate.

2 Q What do you mean by events?

3 A Improprieties by a faculty member.

4 Q Are you referring to improprieties that were  
5 reflected in the letters at issue in this case?

6 A Correct.

7 Q And then up -- you said stellar until that happened;  
8 is that right?

9 A I believe so. I believe I was getting pretty good  
10 grades that year.

11 Q During that year, how often did you go home?

12 A Same as my freshman year. Only for major breaks. I  
13 think one -- it was -- there may have been one  
14 weekend freshman or sophomore year where my cousin  
15 and I traveled to Washington, D.C., to visit with our  
16 grandparents. But I don't recall -- I don't recall  
17 which year it was.

18 Q When you would end the school year and go home, would  
19 you fly or would you drive?

20 A I flew.

21 Q How would you get all of your belongings back home  
22 since you were living there?

23 A You pack everything up. If you're coming back the  
24 following year, you can put it in storage for the  
25 following year. If you're not planning, you ship it

1 back. So, like, freshman year I had to ship  
2 everything I wanted out to The Hill School; and then  
3 at the end of freshman year third form, you pack it  
4 up and you take it down to the storage building which  
5 was by the entrance near Dutch Village which was also  
6 by where the shooting range was and next to the ice  
7 skating rink and the gymnasium.

8 Q And that fourth form year when you left, did you put  
9 everything in storage?

10 A Correct.

11 Q During the school year, were there ever opportunities  
12 like a parent visitation day or a weekend, anything  
13 like that, where your mom would come see you?

14 A I believe my mom did come and visit me my fourth form  
15 year.

16 Q Did anyone come your freshman year, your third form  
17 year?

18 A My mother.

19 MS. DOUGHERTY: Mr. Jubb, before you go  
20 on, when you talk, it sounds like there's some type  
21 of noise in the background. It's a little --

22 MR. JUBB: The heater just kicked on I  
23 think. It'll go off and hopefully pretty soon. But  
24 if at any point --

25 MS. DOUGHERTY: I only...

Kurtis N. Poulos

1 MR. JUBB: Go ahead.

2 MS. DOUGHERTY: I apologize. Go ahead.

3 MR. JUBB: I was going to say at any point  
4 in time if you can't hear my question, just let me  
5 know.

6 MS. DOUGHERTY: I can hear your question.  
7 I didn't know if it would be a concern for you  
8 because I know you're videotaping, and you could --  
9 I'm sure you can hear it on the videotape.

10 MR. JUBB: Is that true, Jeff?

11 VIDEOGRAPHER: Yes, I can hear it. It  
12 sounds sort of like an espresso machine or something  
13 going off.

14 MR. JUBB: We can go of the record and  
15 I'll just -- I'll freeze to death up here.

16 VIDEOGRAPHER: Okay. We are now going off  
17 record. The time is 11:48.

18 (Discussion off the record.)

19 VIDEOGRAPHER: We are now back on the  
20 record. The time is 11:49. You may continue.

21 BY MR. JUBB:

22 Q Thank you. Mr. Poulos, during that summer, did you  
23 have any sort of employment?

24 A I believe that summer I had just purchased my first  
25 car over spring break. So that summer I did have a

1 job. I believe I worked as a busboy at a restaurant  
2 in Bayside called Pandl's. Oh, no, no, no. That  
3 summer I worked at my uncle's paints and wallpaper  
4 company, JC Licht Paint & Wallpaper. It was the  
5 winter of my junior year that I worked at the  
6 restaurant.

7 Q Which uncle are you referring to?

8 A Gregory Licht.

9 Q Is that on your mom's side?

10 A Yes. It's my aunt's ex-husband.

11 Q And then you ultimately returned to school. Did you  
12 fly or did you drive?

13 A My fifth form year, I flew back out.

14 Q And your fifth form year, do you recall what classes  
15 you were assigned to take?

16 A I want to say AP English, French obviously, I think  
17 trigonometry. I honestly don't remember. I wasn't  
18 there long enough to take any of them.

19 Q So the records reflect that around the 8th is when  
20 you left. Do you remember when school actually  
21 started?

22 A It would have started a few days later.

23 Q You mean that you had come back to Pottstown and then  
24 left before any classes started?

25 A Right. I never attended a class my junior year out

Kurtis N. Toules

1           there. You get a couple of days to settle in. But  
2           obviously you've got to go down, get all your stuff  
3           set up, your dorm room. If you have any, you know,  
4           pre-classroom activities like your summer reading you  
5           need to finish up, you need to get on that. And  
6           then, you know, there's orientation stuff. If I  
7           recall.

8       Q     Do you recall -- sorry to interrupt you.

9       A     No. Go ahead.

10      Q     Do you recall specifically if you had any sort of  
11           orientation that year?

12      A     I think it was more just a welcome back to the school  
13           type of event. I mean, the football team had already  
14           been there for, like, almost a month by the time  
15           classes started.

16      Q     In other words, some sports would come back early so  
17           that they could practice; is that it?

18      A     Yeah. I mean, football -- it's not like you go into  
19           your local high school. A lot of these kids live all  
20           across the nation, so they need the weeks that a  
21           local school would get where their kids can just bike  
22           over to their high school and start practicing.

23      Q     So ultimately when you left, did you alert anyone  
24           that you were leaving before actually leaving?

25      A     I didn't alert anybody except for a car company to

0562a



1           come and pick me up. I put as much of my personal  
2           belongings in the back of the limousine as I could  
3           fit. I got to the Philadelphia airport, got a ticket  
4           with my frequent flier miles, and flew home.

5       Q     Tell me what went into that decision.

6       A     Again, I was approached by a teacher, made me feel  
7           uncomfortable; and I decided I was not going to put  
8           up with it that year. And it would be easier for me  
9           to leave.

10      Q     Are you referring to the plaintiff in this case?

11      A     I am.

12      Q     You said you were approached by him that year?

13                   (Interruption by the reporter.)

14      A     I said correct.

15      Q     Tell me about that interaction.

16      A     I don't remember the specifics. It was more a matter  
17           of the way that I was approached, I didn't feel  
18           comfortable. And I decided it would be easier for  
19           all parties if I just leave.

20      Q     Where were you approached?

21      A     I don't recall the exact location on the school. I  
22           just remember getting a feeling that I shouldn't be  
23           there that year, and I made the necessary  
24           arrangements for myself to leave, unbeknownst to my  
25           own family.

1 Q Was it that day that you left or was it a few days  
2 before?

3 A I believe it was the day before. I had to arrange  
4 for a car service. It might have been the day of.

5 Q What was said?

6 A Excuse me?

7 Q What was said?

8 A I don't remember the specifics. I just remember  
9 being approached, being made to feel like I was being  
10 targeted again. And I figured what the hell, I paid  
11 my tuition, my family didn't. So ultimately it's my  
12 money, if I didn't get it back, it's on me. So I  
13 left. That simple.

14 Q Approximately what time of day was this?

15 A I believe it would have been middle of the day  
16 because typically -- and I just remember this offhand  
17 because I only flew one major airline for the three  
18 years that I attended that school, and that was  
19 Midwest Express. And I believe they had a 3, 3:30  
20 flight back from Philadelphia to Milwaukee. So with  
21 the time change I would get in, you know,  
22 midafternoon.

23 Q Is everything okay?

24 A With what?

25 Q No, you just turned your head like you were looking

1 at something that was catching your attention.

2 A Something just flew by the window.

3 Q Okay. So you don't know where this occurred?

4 A I don't remember a specific location on campus, no.

5 Q And you don't recall generally what the discussion  
6 was, correct?

7 A No. It was just a general tone.

8 Q Was there anybody else around?

9 A No. I do not believe so. Otherwise it would have  
10 been brought to attention of other faculty a lot  
11 earlier than it was.

12 Q Okay. So then you board the plane, you go home. Did  
13 you alert any of your family that you were coming in  
14 prior to this or did they just get a surprise when  
15 you showed up?

16 A No. I called my mother from the airport, said I'm at  
17 home -- or I'm in Milwaukee, please come and get me.  
18 And she said no, call your father, have him come and  
19 get you.

20 Q Why did she say no?

21 A Because she was pissed that I left the school.

22 Q Okay. And then ultimately do you recall how you  
23 ended up back there?

24 A To be honest, my junior year was kind of a revelation  
25 for me. I spent some time in Europe going to school.

Kurtis N. Toules

1 I went back. I also had a huge growth spurt my  
2 junior year; so as opposed to being five-foot seven,  
3 I was now six-foot two, 185, so I was a little bit  
4 harder of a target, so I felt more confidence there.  
5 And I knew that as a senior, prior to my senior year,  
6 I would be allowed to bring my personal vehicle out  
7 to campus for personal use when it was appropriate.  
8 So not like, okay, class is over, you can get in your  
9 car and leave. But if it's a Saturday in the past  
10 and you had a car and you were a senior or six  
11 former, I should say, you were allowed to take your  
12 personal vehicle on your own, go grocery shopping, go  
13 to the mall. You weren't really allowed to take  
14 other students with you because of the insurance  
15 liability risk. So I felt my senior year I'd have a  
16 lot more freedoms. And after visiting for my  
17 cousin's graduation, which would have been May of  
18 1996, I also ultimately made the decision to  
19 re-enroll and go out to The Hill School and, you  
20 know, try and make my family proud and get the same,  
21 you know, graduation experience that three -- you  
22 know, two other generations in my family had had.

23 Q So you went to school in Europe. Where did you go?

24 A I attended a high school in Limoges, France, for a  
25 few weeks in spring of '96, early spring, around

0566a

1 Easter. And then we spent a couple of weeks in  
2 Paris.

3 Q Going to school or as a vacation?

4 A More as a learning experience without the classroom.

5 Q Was there a teacher?

6 A Yeah. We had a chaperone. There was only eight of  
7 us from the high school that went. Maybe nine.

8 Q So you were there for a couple of weeks total between  
9 the actual classroom and then Paris; is that right?

10 A Maybe ten days, ten days to two weeks. I can't  
11 really recall. I mean, it was Paris.

12 Q Where --

13 A Excuse me?

14 Q I'm sorry. Where did you go to school after that?

15 A I was attending school at Marquette University High  
16 School my junior year of high school. So I  
17 returned -- it was an exchange program.

18 Q Did you have friends at Marquette High School?

19 A I grew up with one individual in Shorewood who was  
20 attending Marquette High School.

21 Q And what was his or her name?

22 A Steven Balistreri.

23 Q Do you still talk with Mr. Balistreri?

24 A No. Last I heard, he moved to Alaska.

25 Q During -- okay. So you went to school at Marquette

1 for that year. Did you have any type of employment  
2 during that time?

3 A Yeah. That was my junior year. I was working at the  
4 restaurant throughout the winter, and then early  
5 spring I went to France. When I came back, I didn't  
6 work until I got a summer job that year.

7 Q And then ultimately your cousin Jason graduated, you  
8 had had your growth spurt, and that's when you  
9 decided that you would go back; is that it?

10 A Yeah. And I felt that with having a vehicle of my  
11 own there and the certain liberties that had always  
12 been extended to seniors, I would feel a lot more  
13 comfortable that year.

14 Q When you came back, what dorm were you placed in?

15 A I think it was called Foster. It was the first -- so  
16 there's the headmaster's office, then there's the  
17 Foster dormitory, and then there's another senior  
18 dormitory. And in front of the senior dorms is the  
19 varsity track. Yeah.

20 Q Did you have a roommate?

21 A I did not.

22 Q Did you request one?

23 A I actual -- well, strike that. I had a roommate.

24 There was an opportunity for him to also have a  
25 single room. So, you know, he took the opportunity.

1 He ended up moving I think upstairs across the hall  
2 into another dorm room without a roommate. So there  
3 was one, two, three, at least three of us on my side  
4 of the dormitory that had single dorm rooms. So we  
5 had the room all to ourselves. Which as an  
6 18-year-old man is kind of nice.

7 Q Do you recall the names of the students who were your  
8 dorm mates that year?

9 A Not really. Lance Frabizio just because I ran into  
10 him in D.C. a few years later when I was visiting.  
11 And that's where he was from.

12 Q Do you remember the students who had the singles?  
13 You said there were three just on your side.

14 A One of them was from Great Britain, I believe. I  
15 don't remember his name. I don't recall.

16 Q Was Mr. Bluestone in your dorm that year?

17 A I don't recall.

18 Q Who was your dorm parent?

19 A I believe it was Mr. Romero. That's why I said he's  
20 one of the only teachers I remember.

21 Q What sports did you do in the fall, winter and spring  
22 respectively that year?

23 A I can't remember if it was fall. I think it was  
24 fall. A fellow student of mine who was a close  
25 friend of mine while I was there, Kent Andres, he was

1 a local student. He and I took weightlifting  
2 training for some reason. Winter, I have no clue.  
3 And spring, I took an intramural which I think  
4 involved a tennis racket and a tennis ball, but it  
5 was more like baseball in the middle of the quad. So  
6 it was, like, ridiculous. It was just for fun.

7 Q And in the winter you don't remember what you did?

8 A I don't remember what I did in the winter, no.

9 Q You didn't continue with squash?

10 A No, because I had no chance of making the varsity  
11 team; and as a senior, it's varsity or nothing.

12 Q Were you able to do any IM sport?

13 A Yeah. The tennis ball/tennis racket/baseball game  
14 thing that we played.

15 Q I thought you said that was in spring.

16 A Yeah, that was in spring. In the fall we did the  
17 weightlifting. So that would have been an intramural  
18 or an elective I guess you could call it.

19 Q Okay. Yeah, I was just focusing on winter to see if  
20 I would be able to refresh your recollection as to  
21 what if anything you did for that semester. During  
22 your senior year, how would you classify your grades?

23 A Up and down. Senior year is a little bit different  
24 for us than it is for the average student at the  
25 average high school. Once we're accepted to college,



1 as long as we stay above a D average after winter  
2 break, I believe it was, for the final trimester and  
3 you didn't get into any sort of trouble, you know,  
4 where you got suspended, you could graduate without  
5 taking final exams. So I think for the first  
6 trimester I really tried to buckle down. Winter  
7 trimester, I was already accepted into a couple of  
8 schools, I believe, because I found out over  
9 Christmas break where I had been accepted to school.  
10 So then it's sort of just a senior slide for the rest  
11 of the year.

12 Q Where did you get accepted in the winter?

13 A I was accepted to Penn State, one of their -- not the  
14 main campus, one of their smaller, kind of like UWM  
15 is to UW, satellite campuses. But with the  
16 opportunity that if you get good grades, you could go  
17 to Penn State. And University of Ithaca, I believe,  
18 up in Ithaca, New York.

19 Q During your senior year, did you have a work job at  
20 all?

21 A Like I said before, I've never had a work job while I  
22 was attending that school.

23 Q Did you have an advisor?

24 A Yeah, but I couldn't tell you who it was.

25 Q Who would you say would have been your closest friend

1 at the school that year?

2 A A kid who lived across the hall from me, but I can't  
3 remember his name. He had long, shaggy hair. Really  
4 nice kid. I think he was from New Hampshire or  
5 something. I didn't really have a lot of friends my  
6 senior year, to be honest.

7 Q Did you have a number of friends your sophomore year?

8 A Yes. I had a lot of friends my sophomore year.

9 Q Who would you consider your close group of your  
10 friends your sophomore year?

11 A Jeff Glenn was probably my closest friend my  
12 sophomore year. He and I had actually attended camp  
13 together when we were, like, 11. There was two kids  
14 from a small town in Maryland by where my grandmother  
15 had a summer house. So we had that in common.  
16 Because it turned out they grew up right where I used  
17 to spend a majority of my summers growing up. But I  
18 can't remember the two of them. One, I think his  
19 name was Will. He played hockey. That's what I  
20 remember, because I was the equipment guy or the  
21 scorekeeper when I had a broken arm freshman year.  
22 But I can't remember -- his best friend's name was  
23 Alec. I remember he had a room across the hall from  
24 me my freshman year in upper school, and he lived  
25 with a kid from the Philippines whose parent was a

1 diplomat. So he did not come back the following  
2 year. And then -- I mean, now I'm beginning to  
3 remember more of the people's names. But I guess  
4 that doesn't really matter.

5 Q No, no, I -- so who else other than Jeff would you  
6 say would be your closest friend during that fourth  
7 form year?

8 A Jeff. I mean, we went down to Hilton Head together  
9 to stay on his parents' boat for two weeks. He,  
10 unfortunately, didn't have good enough grades to ever  
11 return to that school. So I lost touch with him  
12 after my sophomore year. I mean, I stayed in  
13 Milwaukee. I really wanted nothing to do with The  
14 Hill School my junior year. So I was kind of  
15 surprised he wasn't there my senior year.

16 Q During your senior year, did you have any of those  
17 weekends where your parents would come visit?

18 A Yeah, actually, I did. I had a parents weekend. My  
19 mom flew into town. I was able to get access to my  
20 car. I went and picked her up in Philadelphia, drove  
21 her back for, you know, the parent/teacher  
22 conferences. And then I dropped her off at the  
23 Holiday Inn Express. I had forgotten my overnight  
24 bag because I was so eager to leave. So I went back  
25 to the dorm. And next to the dormitory, there was a

Kurtis N. Toules

1 flight of stairs, very steep; and next to that flight  
2 of stairs there was a -- about enough room to park a  
3 single car. To the other side of that was a big  
4 hill. I went up to my dorm, retrieved my bag, came  
5 back downstairs, and found my car was being parked in  
6 by a blue Subaru Outback that was parked  
7 perpendicular to my vehicle, forcing me to stay on  
8 campus. I knew whose car it was. I went to that  
9 teacher's apartment, asked politely that they move  
10 their vehicle so that I could go and spend the night  
11 off campus with my mother. I was refused, even  
12 though at the time I was an 18-year-old man. In  
13 retrospect, I should have called the police that  
14 night because I was detained there against my will  
15 and, frankly, it made no sense that somebody would go  
16 out of their way to move a car out of a parking  
17 garage that has a garage door. So it's not like they  
18 parked in the parking lot, saw that I came back on  
19 campus and they're like, oh, I'm just going to kind  
20 of mess with him. They physically had to go into  
21 their garage, get their car, drive over, and park in  
22 such a manner that I could not leave campus until the  
23 following morning. So that was fun. That was a fun  
24 weekend.

25 Q During your sixth form year, when did you bring your

0574a

1 car to campus?

2 A I brought it out, my father and I drove it out, you  
3 know, a few days before classes. There was some  
4 personal items that I wanted to bring, and I didn't  
5 feel like I would pay -- it made sense to pay a bunch  
6 of money to ship stuff when I could pack it all in my  
7 car, even though it was a Camaro, and I could just  
8 drive it out there with my father. I thought it  
9 would be a good experience. It was not.

10 Q It was not a good experience driving out there with  
11 your dad?

12 A No. Because he didn't like the car. But it didn't  
13 really matter. It was my car.

14 Q Did you -- strike that. Were there any rules at the  
15 school at that time as to what was considered  
16 appropriate or inappropriate use of a student  
17 vehicle?

18 A Yeah, there was. We had to have extenuating  
19 circumstances, which in retrospect I would not have  
20 brought my car out. Again, I was not made aware of  
21 certain rule changes that had occurred during my  
22 absent year when I went to Marquette University High  
23 School. So it was no longer if you have permission  
24 from your parents to use your car to go do this, this  
25 and this, you can come and check out your keys. It

1 was you can only use your car to go home.

2 Q And do you recall what time of that sixth form year,  
3 fall, winter, spring, where there was that incident  
4 you described where there was the blue Subaru parking  
5 you in?

6 A Yeah. It was fall. It was a couple of weeks after  
7 my 18th birthday. Parents weekend was always in the  
8 first month and a half of the first trimester.  
9 Because the teachers wanted to let the parents know  
10 what direction their students were -- their children  
11 were on and what they needed to do to right the ship.

12 Q Prior to that incident, had you ever been reprimanded  
13 or receive any sort of punishment for inappropriate  
14 use of your car?

15 A No. I was reprimanded once after. I'll admit to  
16 that. But that was sometime in the winter trimester.  
17 I went to the grocery store and bought some food.  
18 Unfortunately, while I was gone, it started snowing;  
19 and so it was kind of obvious when you have assigned  
20 parking spots and there's tire tracks going directly  
21 to my car. I couldn't really talk my way out of that  
22 one.

23 Q At the time of this incident where you said there was  
24 a blue Subaru parked behind you and you were trying  
25 to leave, am I correct that, at least according to

1 the rules which you had said that you weren't aware  
2 of, you would not have been permitted to leave?

3 A No, I was permitted to use the car that weekend  
4 because I was going to pick up my mother from the  
5 airport. Otherwise, she would have been forced to  
6 rent a car just to have a car still there sitting  
7 around. So, again, being that I was 18 years old, it  
8 was my car, and my mother was flying in, I was given  
9 permission by the Dean of Discipline to use my  
10 vehicle to transport my mother around the  
11 Philadelphia airport -- or the Philadelphia area. I  
12 think we went to the King of Prussia mall. And then  
13 I took her back to the airport that Sunday and parked  
14 my car back in the spot, turned my keys in, and that  
15 was that.

16 Q Were you supposed to pick her up from the airport?

17 A Yes. I was given permission by the Dean of  
18 Discipline.

19 Q Did you let him know that you were blocked in?

20 A I let -- I mean, at that point it was Monday by the  
21 time I would have even been able to let him know. I  
22 came -- okay. So I got the car I believe that  
23 Friday. It may have been on the Saturday. I  
24 think -- no, it was Friday. I went to the airport,  
25 picked up my mother, drove back into town. We went

1           and had I believe her meetings with my teachers.  
2           Then we went out to dinner. I dropped her off at the  
3           Holiday Inn Express. I remember that because that's  
4           where everybody's parents stayed. And they give you  
5           an option to get a cot so that as a student, we get a  
6           night of freedom. So it would have been Saturday  
7           night. But it would have been one night where I  
8           don't have to be at school overnight.

9                         In my haste to go and get my mother, I  
10           forgot my overnight bag. So after dinner -- or after  
11           I dropped her off, I was like, you know what, I'm  
12           just going to go back to the dorm, grab my stuff.  
13           I'll be back in -- I think it would have been about a  
14           10- or a 15-minute drive from campus to the actual  
15           hotel. And, like I said, I ran upstairs, ran through  
16           the front door of the dorm, down the hallway. My  
17           door -- my dorm room was in the very corner, the very  
18           last room across the hall from the bathroom. I ran  
19           back down. By the time I got down there, there was a  
20           car parked in -- or parked behind me perpendicular.

21                        So then I went back up to that  
22           individual's apartment, knocked on the door, was  
23           summarily told no, I was not allowed access to my car  
24           for the remainder of the night. But I will move the  
25           car so you can use it tomorrow. Meaning he knew I



1           was in the right to be able to use that vehicle that  
2           night.

3       Q     As part of the rules, were you able to use the car to  
4           drive around your mom for the weekend?

5       A     Yes.

6       Q     And you said parents weekend was about a month or so  
7           after school would start?

8       A     Yeah. Typically it was in, like, mid to late  
9           October. So it was typically a Friday, Saturday,  
10          Sunday thing. Now, my mom having worked full time at  
11          the time, she would have more than likely flown out  
12          Saturday. And that was the night of this instance.  
13          Where then Sunday morning, there is a Sunday brunch,  
14          like a family brunch where you bring your parents to  
15          the dining hall and they make food. We did not  
16          attend that. We just went and did our own thing.

17      Q     Did you tell your mom that you weren't able to come  
18           get her?

19      A     Yeah. I called her at the hotel, after returning my  
20          stuff to my dorm room, I called the hotel, informed  
21          my mother what had happened. She said, you know  
22          what, don't worry about it. It is what it is. I'll  
23          see you in the morning.

24      Q     And did you or your mom ever talk to that  
25          disciplinary dean, go, hey, you told me I could go

1 out and now I can't?

2 A No, because at that point there's no reason to bring  
3 it up. What's he going to do? Say, well -- you have  
4 to understand, half the time they just make up rules  
5 on the fly; and it's almost impossible even as an  
6 adult to be, like, well, screw you, I'm going to do  
7 my own thing. I even at one point brought up why  
8 don't I just get my own apartment off campus being  
9 that I'm 18 years old. I was told summarily I would  
10 be kicked out of the school. So, you know --

11 Q Did -- I'm sorry, I interrupted you.

12 A No. Go ahead.

13 Q Was the driving/car policy for students and the rules  
14 applicable thereto made up on the fly, or is that  
15 something that had been established in writing?

16 A I mean, we were told in our -- you know, like I said,  
17 there was some sort of orientation every year, so  
18 they would bring up any sorts of rule changes. One  
19 of the rules changes was seniors, no matter if you  
20 were 18 or older or -- yeah, because we had super  
21 seniors, you weren't allowed to smoke on campus  
22 anymore. Prior to that, it was you could smoke on  
23 campus at the age 17 and up as long as you had your  
24 parents' permission or you were 18 years old.

25 So my senior year it became no longer

1 cigarettes and coffee after dinner. It was just  
2 coffee with teachers. And the smoke club, there was  
3 a building down towards the end of the upper school  
4 building that had a big garage door with some lounge  
5 chairs and sofas where if you were a junior or a  
6 senior and you had permission or were 18, you could  
7 go and smoke cigarettes. They took both of -- they  
8 took both of those away. And then they said as far  
9 as seniors, unless you're an off-campus student and  
10 you have your vehicle here, you are not allowed to  
11 use your vehicle other than to go home or with  
12 special permission. So, like, if you have a doctor's  
13 appointment, obviously if you have a car, rather than  
14 paying for a cab, you'd go and tell the Dean of  
15 Discipline I have to go here, here or here, here's a  
16 letter from my parents, can I have the keys to my car  
17 for that day. He'd say yes. So there were always  
18 exceptions to be made. It's not like I was the only  
19 senior from out of state who brought a car who had to  
20 get special permissions.

21 Q And I just want to try and make sure I'm not  
22 misunderstanding your testimony. Is it your  
23 testimony that prior to your mom coming in for this  
24 weekend, you had gone to the dean, said I need to  
25 pick her up from the airport and I want to take her

Kurtis N. Toules

1 around town, can I do that? And that person, whoever  
2 it was, said sure?

3 A Correct.

4 Q And who was that dean, if you can recall?

5 A I cannot recall, but also you have to understand I  
6 had to physically get the keys from the dean.

7 Q Where was his office?

8 A It was attached to the middle school building across  
9 the walkway from the dining hall. But it was more  
10 towards the end of the building. So it would have  
11 been the mailboxes and then you walk through, there's  
12 a little shop where you can buy some school supplies  
13 and stuff. Then you'd walk out. The college prep  
14 lady, that's where her office was. And I want to  
15 say -- no, Mr. Mikaletto (phonetic), he was the  
16 hockey coach. I can't remember, but I know he had  
17 something to do with hockey because he was a bigger  
18 stocky guy, and I don't think he was one of the  
19 football coaches. I think he was the JV coach.

20 Q Do you recall what classes you took that year?

21 A Physics, French, Shakespeare, theology, I don't  
22 remember what math I took that year. Maybe that  
23 was -- no, I don't remember what math I took that  
24 year.

25 Q Do you recall the names of any of those teachers?

1       A       Mr. Lahey I believe was my Shakespeare teacher. I  
2               just remember that because it was probably the most  
3               enjoyable class that I had. I can remember what my  
4               French teacher looks like. She was, first off, from  
5               France and had a really short, you know, almost bowl  
6               cut. And I remember my physics teacher's face, but I  
7               can't remember his name. I just remember he was a  
8               really good teacher and made class a lot of fun.

9       Q       And you mentioned theology.

10      A       Yeah.

11      Q       Who was that?

12      A       I don't remember. I think senior year was a little  
13               different in the fact that -- because I took  
14               Shakespeare, but I don't think that year-long like I  
15               took physics year-round and I took French year-round.  
16               I think theology, Shakespeare and there was one other  
17               class, and those were just trimester classes.

18      Q       You say just trimester classes, you mean they weren't  
19               for the entire year; is that right?

20      A       Yeah. You just took -- it was I think specifically  
21               for seniors where you only had to take it for one  
22               trimester and then you were done. I don't remember  
23               taking Shakespeare the entire year.

24      Q       Did you have any difficulty graduating?

25      A       No. I don't -- I think --

1 Q Did you...

2 A Go ahead.

3 Q I'm sorry. No, go ahead.

4 A I almost got into a disciplinary problem right before  
5 spring break. But the Dean of Discipline said since  
6 it happened before spring break and technically not  
7 after, that I wouldn't have to take my final exams.  
8 Just not to let it happen again.

9 Q And what was that disciplinary problem?

10 A I think I was caught smoking off campus. So, again,  
11 18 years old, out walking around a town; but a  
12 teacher said he saw me having a cigarette. But I was  
13 told that was a poor example of what a Hill School  
14 student should represent.

15 Q Did you have any other disciplinary issues that year?

16 A Other than the time I took my car out without  
17 permission, no.

18 Q When was that?

19 A Like I said, I got caught going to get groceries in  
20 the winter when it snowed.

21 Q Following your graduation -- let me ask you this.  
22 Did any of your -- strike that.

23 Did any of your family members show for  
24 graduation?

25 A Everybody.

1 Q Mom and dad?

2 A Even my father and my stepmother. My brothers, my  
3 cousins, my aunt, my grandma. My grandpa was so  
4 excited.

5 Q What did you do that summer?

6 A I worked for -- I worked basically as a maintenance  
7 guy for the office building where my dad's company  
8 was located. So I helped doing -- they were  
9 renovating the third floor. So I helped doing the  
10 teardown of the entire third floor of the building  
11 for a summer.

12 Q All right. This might be a good time to take another  
13 five-minute break if that's okay with you, Kurtis, or  
14 would you like a little bit longer?

15 A No. That's fine. I'm just curious as to how much  
16 longer just this in general is going to go.

17 Q I'm not sure yet. But we're -- you know, I'm going  
18 to show you a couple documents and then my colleague,  
19 Ms. Dougherty, may have some questions too. So let's  
20 just do our five-minute break and we can look at our  
21 notes, and that makes it go quicker.

22 A Okay.

23 VIDEOGRAPHER: We are now going off  
24 record. The time is 12:32.

25 (Recess taken from 12:32 to 12:39 p.m.)

1 VIDEOPHOTOGRAPHER: We are now back on the  
2 record. The time is 12:39. You may continue.

3 MR. JUBB: Thank you.

4 Q Mr. Poulos, have you ever been convicted of a crime?

5 A Yes.

6 Q Which crimes?

7 A I couldn't tell you exactly offhand. I'm sure you  
8 have records.

9 Q Can you tell me what crimes you can recall being  
10 convicted of?

11 A Disorderly conduct.

12 Q Anything else?

13 A I believe I broke a restraining order.

14 Q Anything else?

15 A Not that I can recall.

16 Q Have you ever been charged with any felonies that you  
17 were not convicted of?

18 A Not that I can recall.

19 Q When was the disorderly conduct?

20 A There was one in Connecticut and there was one here  
21 in Milwaukee. So 2018 and 2016.

22 Q Have you ever served jail time for those?

23 A Just overnights, like waiting to be processed.

24 Q With respect to the restraining order, when was the  
25 restraining order actually in place?



Kurtis N. Toules

1 A I don't know. 2005.

2 Q When was it broken?

3 A Possibly somewhere around the time that it was taken  
4 out. The problem was the location of my ex's  
5 apartment and mine at the time, I lived on a one-way  
6 street. I had no choice but to drive past the street  
7 that she lived on to access the rest of the city.  
8 Where my parking garage exited, I had to head north  
9 in order to get to the next main street.  
10 Unfortunately, I had to pass her block before I could  
11 get to the next main street, and you could hear my  
12 car a mile away. So it's not like I drove by her  
13 house. I literally just was driving I think to a bar  
14 to meet up with some friends. And next thing I know,  
15 I've got cops showing up at the apartment later that  
16 night saying I broke my restraining order because she  
17 heard my car drive by her apartment.

18 Q Was that the extent of that?

19 A Yeah.

20 Q Had you ever received any sort of psychiatric  
21 treatment when you were -- prior to 1997?

22 A I think I went to see a therapist when I was, like,  
23 eight or nine about whose house I wanted to live at,  
24 my mom's or my dad's. That was it. And that wasn't  
25 really therapy. It was more I think an advocate for

0587a

Kurtis N. Toules

1 the court. But it was a therapist.

2 Q Did you ever receive any psychological treatment from  
3 the time that you had graduated from The Hill School  
4 through 2007 being ten years later?

5 A No.

6 Q Have you ever received any --

7 A No.

8 Q I'm sorry. Go ahead.

9 A I said no.

10 Q Okay. Have you ever received any sort of  
11 psychological treatment between 2007 and 2017, which  
12 would have been the next ten-year period?

13 A I got treated when I was out in Connecticut.

14 Q What was that related to?

15 A I'd rather not say.

16 Q Was this something that was mandatory?

17 A Yes.

18 Q As part of some sort of court order?

19 A Not a court order, no.

20 Q How was it mandatory?

21 A Because I ended up in the hospital and they made me  
22 stay for an evaluation. And then they released me.

23 Q Okay. When did you end up in the hospital?

24 A In 2016.

25 Q What was that for?

0588a

Kurtis N. Toules

1 A I'd rather not say.

2 Q Unfortunately, that -- are you objecting to answering  
3 that question?

4 A I do object to answering that. I don't see how  
5 something -- I don't -- well, it didn't have anything  
6 other to do than the situation that occurred there.

7 Q Was that in any way related to a crime?

8 A No.

9 Q It was related to you finding yourself in the  
10 hospital where you were treated psychologically,  
11 correct?

12 A I had to get stitches, so they held me.

13 Q Why did you need stitches in 2016?

14 A They thought I was self-harming.

15 Q Were you self-harming?

16 A No. That's why they released me.

17 Q With respect to the disorderly conduct in Connecticut  
18 in 2018, what were the facts surrounding that?

19 A A drunken argument with my ex-girlfriend.

20 Q Did you have to perform any jail time related to  
21 that? Was that the overnight situation?

22 A Yeah. And then I paid a fine and went home.

23 Q What town was that in?

24 A Orange, Connecticut.

25 Q And in 2016 in Milwaukee, what was that related to?

0589a

Kurtis N. Toules

1 A I wasn't in Milwaukee in 2016.

2 Q I'm sorry. I must have written it down wrong. I  
3 thought you said that you had a disorderly in 2016  
4 and that was in Milwaukee. Where was the disorderly  
5 in 2016?

6 A That was in Connecticut. The one in Milwaukee was in  
7 2018.

8 Q I'm sorry. I flipped them. So the one in 2018 was  
9 in Milwaukee, and the one that you just described  
10 pertaining to a drunken argument with your  
11 ex-girlfriend was in Orange, Connecticut, in 2016.  
12 So what is the incident in Milwaukee in 2018?

13 A Same exact incident. Argument with the girlfriend,  
14 the cops get called.

15 Q Was this the same girlfriend?

16 A Unfortunately, yes.

17 Q And I imagine when you say unfortunately, you two are  
18 no longer together; is that fair?

19 A Thankfully, yes.

20 Q And was she charged with anything?

21 A I don't know if she would have been. It doesn't  
22 matter because she left the state.

23 Q What's her name?

24 A Emily Peters.

25 Q Have you had any girlfriends since Emily?

1 A I've dated a few women off and on since then.

2 Nothing serious. I'm focused on trying to stay sober  
3 and focus on work.

4 Q Do you ever attend any meetings related to sobriety?

5 A I was, yes. Up until COVID started.

6 Q Can you tell me why you sought psychiatric treatment  
7 in May of 2018?

8 A May of 2018, I started getting treatment so that I  
9 could live a more productive life while coping with  
10 what I went through in high school.

11 Q How did you select that doctor?

12 A Because it... Because he's one of the best in the  
13 city.

14 Q Do you still see him?

15 A Unfortunately, no. He's a very busy doctor and he's  
16 also \$300 an hour.

17 Q Is there any other physician that -- strike that. Is  
18 there any other mental health individual from whom  
19 you sought medical treatment?

20 A Nope.

21 Q Was that Dr. Grade?

22 A Grade.

23 Q Grade?

24 A Yes.

25 Q G-R-A-D-E, correct?

Kurtis N. Toules

1 A Correct.

2 Q At any point in time, did you relay the information  
3 that you had relayed to Dr. Grade to any of your  
4 girlfriends?

5 A No. Not with specifics.

6 Q What do you mean by not with specifics?

7 A Not with specific names. I just told them that  
8 there's an event that happened at my school.  
9 Obviously when I received the letters from the high  
10 school, I was dating somebody. So she was kind of  
11 furious as to why I was receiving letters like that.

12 Q What did you tell her? And was this Emily at the  
13 time?

14 A Correct.

15 Q What did you tell Emily?

16 A I told her what happened to me at the school. But I  
17 never used a name.

18 Q How did it come about that Emily saw the email that  
19 you received?

20 MS. DOUGHERTY: Objection.

21 A I was reading them on my compute -- okay. Yeah.  
22 Objection.

23 MR. JUBB: Candi, did you object?

24 MS. DOUGHERTY: I did.

25 MR. JUBB: Okay. You're just objecting to

0592a

1 the form?

2 MS. DOUGHERTY: Yeah, I think -- I don't  
3 know that he identified the communication from the  
4 school as an email. I think he said letter. But --

5 MR. JUBB: I'll just clarify that.

6 Q Mr. -- strike that. Mr. Poulos, what communication  
7 are you referring to that you had discussed with  
8 Emily?

9 A The two emails that contained letters from the school  
10 were printed out in my office in the apartment we  
11 shared.

12 Q So you printed them out at that time?

13 A Yeah. I keep hard copies of important documents.

14 Q Am I correct that you have not produced any documents  
15 to me in response to any of the discovery requests?

16 A I'm not sure as to what you're asking, referring to,  
17 which specific documents you want.

18 Q So I had issued requests for production of documents  
19 to you. Am I correct that you have not supplied me  
20 with any documents?

21 A But I'm asking what these documents would be  
22 referring to. Because you've sent me so many  
23 requests for things, there have been some that I've  
24 said no to, there have been some I've said yes to.  
25 Plus most of these documents you can receive from the

1 school.

2 Q Just listen to my question. So let's say there's one  
3 request, let's say there's 20, let's say there's a  
4 hundred. Am I correct that you have not produced me  
5 with any documents in response to those?

6 A To my knowledge, no, I have not produced you any  
7 documents.

8 Q Have you ever had to attend any sort of anger  
9 management program?

10 A Yes.

11 Q When was that?

12 A That was when I was living in Connecticut.

13 Q Was that related to Emily?

14 A No. It was recommended to me and I took it. And  
15 after, I don't know, five classes, the teacher said  
16 it doesn't seem like you need to be here other than  
17 you need to stop drinking so that you stop having  
18 outbursts.

19 Q How often were you drinking in the 2016 time frame?

20 A Not very much. I had quit drinking after I got out  
21 of the hospital up until basically when I met Emily.  
22 Unfortunately, I slipped.

23 Q Prior to that, did you ever consider yourself to have  
24 any sort of issue with alcohol?

25 A I mean, yeah, I drank myself into a coma trying to



Kurtis N. Toules

1 deal with the trauma of what happened at that school.

2 Q When did you drink yourself into a coma?

3 A Back in 2015, 2014, right when everything started to  
4 come to light, I started self-medicating.

5 Q Had you ever drunken yourself into a coma prior to  
6 2014, 2015?

7 A No. I mean, I drank excessively, but not to the  
8 point where I was putting down a handle of vodka in  
9 two days, to the point where I had to be hospitalized  
10 and I almost died.

11 Q Other than you driving around your ex-girlfriend's  
12 house on the way to anywhere, really, because of the  
13 proximity to where you lived, was there anything else  
14 about that that was related to that conviction?

15 MS. DOUGHERTY: Objection.

16 BY MR. JUBB:

17 Q So she's just objecting to the form. Do you have a  
18 position?

19 A Yeah. I object.

20 Q Okay. Can you tell me the basis of your objection?

21 A I don't see how that's relevant.

22 MS. DOUGHERTY: Are you asking me?

23 MR. JUBB: No, no, not you. I'm asking  
24 him.

25 MS. DOUGHERTY: Because my objection was

0595a

Kurtis N. Poulos

1 to form.

2 MR. JUBB: Of course.

3 Q All right. So, Mr. Poulos, did you get a chance to  
4 look at any of your records from Hill School?

5 A No. I have no, no desire to look at anything  
6 regarding that school. They don't pertain to my life  
7 as of right now, what my records were when I was in  
8 high school.

9 Q I'm going to show you a couple of documents from my  
10 screen. And for the record, I'm going to be pulling  
11 up here P16.164 through P16.165.

12 MS. DOUGHERTY: Can you say that again,  
13 P16, what was that?

14 MR. JUBB: P16.164 through P16.165.

15 Q Mr. Poulos, can you see that screen? Can you see my  
16 screen now, Mr. Poulos?

17 A Now I can.

18 Q William Proxmire, is that your step-grandfather?

19 A It is.

20 Q This appears to be a letter that he wrote to the then  
21 headmaster in 1993, referring to him as Chuck. And  
22 he spelled your name with a C. Have you ever spelled  
23 your name with a C?

24 A No. In fact, he's not the only one of my  
25 grandparents who every once in a while would spell my

1 name in the English rather than in the German form.

2 Q In this letter that he wrote to Headmaster Watson, he  
3 said, "I said little about him at the time because,  
4 frankly, I knew little." Can you see that?

5 A Yeah, I can see that. And, like I said, I did not  
6 have very much contact with my grandfather when I was  
7 growing up.

8 Q Is that your grandfather's signature?

9 A I believe so.

10 Q And have you ever seen these before?

11 A I've never seen any of those before.

12 Q Do you see this? It's an advisor report. The Bates  
13 number is P16.118.

14 A You just scrolled all the way to the bottom.

15 Q I know. I'm just trying to make sure that everybody  
16 is able to take down the exhibits for us here because  
17 I've got to send these to the court reporter later.

18 So it says the student is you. The advisor is  
19 Mr. Lodish, and it's dated November 1993. Was your  
20 advisor during your third form year Mr. Lodish?

21 A Actually, I think that was my hall master, so he  
22 would have probably also been my advisor.

23 Q Is that just how it worked, your advisor is always  
24 your hall master, or is that a coincidence?

25 A No, I think as a -- I think your first year at the

1 school, they assign you to the person that you're  
2 going to be living nearest.

3 Q You believe that Mr. Lodish was that individual who  
4 was your hall master who you described as in his  
5 apartment on the phone a lot --

6 A Correct.

7 Q -- is that correct? In looking at this, which is  
8 dated November 30th, 1993, he says, "The situation  
9 with his roommate seems to be getting much better and  
10 the two of them seem to be getting along. He spends  
11 a great deal of his free time on his computer which  
12 tends to keep him isolated from the other boys on the  
13 hall." Do you know what he's referring to when he  
14 says the situation with your roommate?

15 A Yeah. He was stealing from me and from other  
16 students on that floor. That's why he was not  
17 recommended to come back.

18 Q Okay. And do you recall spending a great deal of  
19 free time on your computer?

20 A Yeah. I was learning how to write code as an  
21 extracurricular -- now it's something that they teach  
22 at that school, and most high schools and  
23 universities do as well. I grew up in a home where  
24 we had computers at a young age. So I was continuing  
25 my own education on how to use computers and I was

1           using -- I had a computer that most students had the  
2           ability to use my computer to, say, look up the  
3           Encyclopedia Britannica without leaving my room and  
4           going to the library. So why if my father had  
5           spent -- or technically my trust had spent nearly  
6           \$8,000 on something so far advanced would I not use  
7           it to the fullest capabilities? Otherwise, it's just  
8           a giant paperweight. It's not like we had internet,  
9           you know. It was strictly that I could use it to  
10          learn programming and I could use it to advance my  
11          studies on my own without having to leave. I wasn't  
12          playing games. I mean, they didn't really even have  
13          games that you could play. I think I had a golf  
14          game.

15        Q   Did you ever feel that your time with the computer  
16            was ever isolating you from other classmates of  
17            yours?

18        A   In fact, the complete opposite. There was a kid that  
19            lived across the hall from me who was just as  
20            proficient. He didn't have as nice of a computer.  
21            But he would come and spend time. There was another  
22            gentleman or another kid that lived down the hall  
23            from me. He had his own computer. You know, like I  
24            said, back in 1993, it was rare, let alone to have a  
25            machine as capable as what I had. I had basically

1 the nicest computer that you could buy at that time.  
2 So it was kind of a way to also bring them into my  
3 room and hang out and be, like, look what this can  
4 do, you know, look how this works. I showed -- I  
5 made a program for a kid so that he could play, like,  
6 a tank-busting video came in his dorm room.

7 Q Do you still do coding?

8 A No.

9 Q What did you major in college?

10 A Business administration.

11 Q Did you ever take any computer courses or coding  
12 courses in college?

13 A Nope.

14 Q This is a demerit report from you dated June 1994 of  
15 the school. Down on the left-hand side there's a  
16 list of dates. I'm trying to understand this. And  
17 so what I see is F-W-S. I assume that's fall,  
18 winter, spring, and then the dates correspond along  
19 the left-hand side.

20 A Oh, by work job --

21 MS. DOUGHERTY: Object.

22 A -- you meant did we have to go --

23 MS. DOUGHERTY: Can you identify the -- I  
24 just want to know the Bates label.

25 MR. JUBB: Absolutely, Candi. I

1 apologize. This is P16.73.

2 MS. DOUGHERTY: Thank you. I'm sorry. I  
3 was raising my hand to try to get your attention. I  
4 didn't want to interrupt you.

5 MR. JUBB: No, I can't see you on the  
6 screen. You know what I mean?

7 MS. DOUGHERTY: Yeah.

8 MR. JUBB: I apologize. For whatever  
9 reason, the box is showing the videographer and  
10 court reporter. I can't put both of you next to  
11 each other.

12 MS. DOUGHERTY: That's fine.

13 MR. JUBB: Yes.

14 Q So, Mr. Poulos, yeah, so absent athletics, that would  
15 have been that requirement that you were supposed to  
16 do, correct?

17 A Correct.

18 Q And it shows on here warning - absent work job. What  
19 does that mean?

20 A The only thing I can think of for work job, and I  
21 could be wrong in this, but I believe as incoming --  
22 or as third formers, we did have to every once in a  
23 while go into the kitchen and, like, prep the cereal  
24 station, I think. I don't really consider that a job  
25 because it's not like -- I'm thinking job as in it

1 helps pay for my tuition which my tuition was paid in  
2 full. So that's where that misunderstanding is, you  
3 know. As far as absent breakfast, yeah, I slept in.

4 Q Was breakfast required?

5 A For underclassmen, yes.

6 Q I'll take that down. And, Candi, this is P16.72.

7 And this is the demerit list for the '94-95 school  
8 year. And on this demerit list, it says absent  
9 special work crew, restriction one day. Absent work  
10 job, absent work job. Again, you have no  
11 recollection of what your work job was at this time?

12 A Again, it probably would have been prepping for the  
13 following day's meals. So if I was absent a dinner  
14 on 2/22 -- or 2/23 or something like that, I would  
15 have missed my work job as well. Because we did --  
16 so when the meal is over, all the underclassmen are  
17 supposed to stay and set up the tables for the  
18 following meal. So when you come in for breakfast,  
19 the people who had dinner at that table the night  
20 before would have set the places, you know, set out  
21 the plates, the glasses, the silverware, the pitchers  
22 for the water. So it's possible, like, if I miss a  
23 meal, I'm going to miss, you know, miss having done  
24 my portion of my work job or whatever that...

25 Q Am I correct that dinner was after sports?



1       A       Yeah. You had time to go and take a shower and then  
2               rush over. But if you have a lot of homework and  
3               you're going to a school as competitive as that, am I  
4               going to go and sit at a dinner that I'm not going to  
5               eat or am I going to sit in my dorm room and do my  
6               homework? I think one outweighs the other.

7       Q       And you're saying during this time frame, that was  
8               what you believe was the basis for you missing  
9               dinners and the --

10      A       Correct.

11      Q       -- the responsibilities associated therewith was that  
12              you were studying?

13      A       Yeah.

14      Q       This is the demerit list for the '97 school year when  
15              you were a sixth former. It looks like on here --  
16              what was this about, unauthorized absence from  
17              campus/dorm, detention one week?

18                      MS. DOUGHERTY: What's the Bates label?

19                      MR. JUBB: This is P16.33.

20                      MS. DOUGHERTY: Thank you.

21      A       I don't know. I probably walked off campus and  
22              bought a pack of cigarettes and got caught walking  
23              back onto campus.

24      BY MR. JUBB:

25      Q       Is that something that you recall happening or was

1           that a guess?

2       A     That's a guess. That's the only thing I can figure.  
3           That's the only time I left campus was to drive or  
4           walk over to Mama's which was right by the senior  
5           dorm, and she'd let us buy cigarettes even though she  
6           knew we weren't 18.

7       Q     And it looks like this happened on October 3rd of the  
8           fall --

9       A     Yeah, a week before my birthday.

10      Q     Did you ever have occasion to drive to get  
11           cigarettes?

12      A     No. To Mama's I would just walk. It was literally a  
13           block, a block and a half away from our school.

14      Q     And did you ever have occasion to take your car other  
15           places to get cigarettes?

16      A     Just the one time where I went to get groceries  
17           without permission.

18      Q     And it looks like here, February 23rd, another  
19           unauthorized absence from campus/dorm, detention one  
20           week. Do you know what that one was about?

21      A     Oh, yeah. After -- let's see, when was the Super  
22           Bowl in 1997, the one that the Packers won? After  
23           that, I started leaving campus every weekend and  
24           flying home almost.

25      Q     Absent evening study hall. Is this a study hall that

1 was required for all students or just for you?

2 A I couldn't tell you because typically for seniors, we  
3 do not have a mandatory study hall. But, again, I  
4 believe I was below the threshold of demerits; so...

5 Q Do you know what absent athletics, which one is this  
6 referring to? I guess this would have been the  
7 winter of your senior year. So that would have been  
8 the -- we don't have a sport, what that was I don't  
9 think.

10 A I have no idea what half of these are. Except that I  
11 can tell you that after the -- you know, the  
12 following weeks after the Packers won the Super Bowl,  
13 I tended to fly home fairly often.

14 Q Do you know what the 1/20/97 personal conduct is,  
15 what that's related to?

16 A I think that's when I took my car without permission  
17 and got caught when it was snowing. I couldn't tell  
18 you. Some of these I know are because I flew home.  
19 Again, I was 18 years old, I was pressing my luck. I  
20 never pressed it so far as to get into any major, you  
21 know, trouble where I had -- you know, a week's  
22 detention means you basically go to your dorm and sit  
23 in your room during your off periods. That's --  
24 okay, I can deal with that.

25 Q If you went home on the weekends after the Super

1 Bowl, was dinner --

2 A They pretty --

3 Q -- required on Saturday?

4 (Interruption by the reporter.)

5 Q I asked if there was dinner on Saturdays. I don't  
6 know if this is a Saturday, but my question is you  
7 said you went home on the weekends. So I assume, you  
8 know, that is a Saturday, or I assume that any  
9 weekend is a Saturday. So that's why I asked  
10 because --

11 A No, because --

12 MS. DOUGHERTY: Objection.

13 A -- we weren't required to go to dinner. That's why  
14 I'm confused. We weren't required to go to  
15 breakfast -- oh, we were required to show up for  
16 dinner. We weren't required to stay and eat whatever  
17 it was they were serving. So I would typically on  
18 those nights, if I didn't feel like putting on a  
19 sport coat, a tie, dress slacks, dressing up, walking  
20 over to the dining hall and sitting down for a meal I  
21 had no intention on eating, I would just stay in my  
22 dorm, either order a pizza or wait until the grill  
23 opened and walk over there and get a burger. I  
24 basically stopped eating almost every meal my senior  
25 year at that school. That's why I started going to

1 buy my own groceries.

2 BY MR. JUBB:

3 Q And what was the reason --

4 A Because the idea -- yeah, the idea of sitting around  
5 500 people and listening to them scrape forks off  
6 their teeth became utterly disgusting to me. Just so  
7 you guys know, my laptop battery is at 31 percent and  
8 I do have to go at some point and walk my dog.

9 Q How far away is your apartment?

10 A 30 minutes. And I'd like to eat lunch.

11 Q If you need a lunch break, that's a different story.  
12 If we broke for an hour, it's just going to, you  
13 know, drag it on a little bit. But if you need a  
14 break, I get it. Is there anyone that can walk your  
15 dog for you?

16 A No. I'm the only one who has a key to my apartment,  
17 and the only one that Clifford will let in the  
18 apartment without me there.

19 Q And when did you leave him?

20 A I left him at, like, 8:30 this morning.

21 Q Okay. Then why don't we just get through one more  
22 thing and then we can break so that you can go home  
23 and let your dog out. And then we can plan to come  
24 back thereafter and then I guess just take a break.  
25 And, Candi, are you okay with that?

Kurtis N. Poulos

1 MS. DOUGHERTY: That's fine. I just had a  
2 question for Mr. Poulos. Do you have your charger  
3 for your -- whatever you --

4 THE WITNESS: It's at home. It's at home.  
5 So I can shut down my laptop. I can let my phone  
6 cool down because I'm getting temperature warnings  
7 on my phone.

8 MR. JUBB: Okay. Then why don't we do  
9 this. Candi, if it's okay with you, why don't we  
10 break now so that the witness can go home, let his  
11 dog out, grab his computer charger. And then,  
12 Mr. Poulos, I would just say that you're still under  
13 oath and you're not permitted to discuss your  
14 deposition with anyone. Okay?

15 THE WITNESS: That's fine.

16 MS. DOUGHERTY: And how long are we  
17 breaking for?

18 MR. JUBB: I would like to -- he said it's  
19 a half hour a way. So I think, unfortunately, an  
20 hour. Mr. Poulos, can you get here within an hour  
21 and ten minutes?

22 THE WITNESS: I can get back here by 2 my  
23 time.

24 MS. DOUGHERTY: Okay. And he wants to  
25 eat. Right?

Kurtis N. Poulos

1 THE WITNESS: Well, I mean, I can --

2 MS. DOUGHERTY: Can you eat at the same  
3 time?

4 THE WITNESS: Yeah, I can put something to  
5 the side and take, like, small bites.

6 MR. JUBB: Okay. Then if that's okay with  
7 Jeff as well as our lovely court reporter as well as  
8 Ms. Dougherty, then why don't we break now. And,  
9 Mr. Poulos, if you could get back as quickly as  
10 possibly and just re-click that link and sign back  
11 in to let us know you're available, then we could  
12 start working through it. Okay?

13 THE WITNESS: All right. I appreciate it.  
14 I'll take to you guys in about 45 minutes.

15 VIDEOGRAPHER: So we are now going off  
16 record. The time is 1:17.

17 (Recess taken from 1:17 to 2:10 p.m.)

18 VIDEOGRAPHER: We are now back on the  
19 record. The time is 2:10. You may continue.

20 BY MR. JUBB:

21 Q Thank you. Mr. Poulos, during the break, it's my  
22 understanding that you had gone home to where you  
23 currently reside. Is that correct?

24 A That's correct.

25 Q And where you're currently located, is there anybody

1 else with you there?

2 A Just Clifford, my dog.

3 Q What type of dog?

4 A Yeah.

5 Q What type of dog?

6 A He's half pit, half retriever, or lab.

7 Q Okay. So I believe when we left off, we were  
8 discussing the few things pertaining to the latest  
9 exhibit, which I believe was your sixth -- was it  
10 your sixth form demerits? Does that sound about  
11 right?

12 A Sounds about right.

13 Q I'm going to show you a couple of things to see if  
14 they refresh your recollection. Can you see that?

15 A Yeah. That's Jason Eiserman.

16 MS. DOUGHERTY: Does this have a Bates  
17 label?

18 MR. JUBB: No. No. These are just --  
19 let's just call this P100, I guess.

20 Q Is Mr. Eiserman the gentleman who you just testified  
21 to lived across the hall from you your sophomore  
22 year?

23 A Correct.

24 Q And that's going to be P100.1. Do you recognize this  
25 person?



1 A No.

2 Q It's going to be P100.2. Do you recognize this  
3 person?

4 A I recognize the face. I couldn't tell you his name.  
5 I didn't hang out with him.

6 Q It's P100.3. What about this person?

7 A Yeah. That's Kent Andres.

8 Q We discussed previously --

9 A I see --

10 (Interruption by the reporter.)

11 A I follow him on LinkedIn.

12 MS. DOUGHERTY: And him -- can you just  
13 repeat his name.

14 A Kent Andres.

15 MS. DOUGHERTY: Thank you.

16 BY MR. JUBB:

17 Q K-E-N-T is what you're saying, right, Mr. Poulos?

18 A Correct.

19 Q And you said you actually reached out to him  
20 occasionally?

21 A No, I've never reached out to him. I just saw him on  
22 LinkedIn.

23 Q That's going to be P100.4. Do you recognize this  
24 person?

25 A No. I recognize -- I mean, there was 94 of us. So,

1 I mean, the face is recognizable, but I couldn't tell  
2 you his name.

3 Q That's P100.5. The next is P100.6. Do you recognize  
4 him?

5 A Yeah. It's Lance Whitlock.

6 Q Who is Lance again?

7 A Lance actually was one of the kids who had a single  
8 on the same floor as I did.

9 Q For your senior year?

10 A Yeah.

11 Q P100.7, who is that?

12 A I recognize the face. I couldn't tell you his name.

13 Q P100.8, do you know who this is?

14 A No clue.

15 Q What about him?

16 A Recognize the face, but I couldn't tell you his name.  
17 I mean, these all are senior portraits. So everybody  
18 looks somewhat familiar.

19 Q In any of the photos that I just showed you, P100.1  
20 through 100.9, the names that came up were Jason  
21 Eiserman as 100.2, Kent Andres as 100.3 and Lance  
22 Whitlock as 100.6, do any of these photos refresh  
23 your recollection as to whether or not any of these  
24 students were in your geometry class during your  
25 sophomore --

1 A I think that last --

2 MS. DOUGHERTY: Hold -- object. I was  
3 going to object. He wasn't done with his question,  
4 though.

5 A Yeah, finish your question.

6 MS. DOUGHERTY: Because -- Lane, just so  
7 you know my object -- I think you may have misspoken  
8 that Kent Andres was a different number than what  
9 you said in your question. That was going to be my  
10 objection. So if you're going to ask the question  
11 again, I just wanted to point it out to you.

12 MR. JUBB: Okay. I have Kent Andres as  
13 100.4. What do you have?

14 MS. DOUGHERTY: That's what I have, but I  
15 think you said 3 in your question.

16 MR. JUBB: Thank you. I'll correct that.

17 Q Mr. Poulos, with respect to any of these photos that  
18 I've shown you which I've marked as P100 where you  
19 recognize P100.1 as Jason Eiserman, 100.4 as Kent  
20 Andres, and 100.6 as Lance Whitlock, where the others  
21 you could not identify by name, do any of them appear  
22 to have been in your fourth form year geometry class?

23 A No --

24 Q I would be happy to keep scrolling through.

25 A No. I'm horrible with faces and names. I stated

1           that earlier. I remember them because Kent was a  
2           local student, he was a star soccer player, and he  
3           and I worked out together, and his mom had me over  
4           for dinner. I mean, it's all situational that I  
5           recognize these people. It's not because of that  
6           class. It's because of my proximity to them and the  
7           rest of school.

8       Q     Had you had -- strike that. Am I correct, though,  
9           that these were all students in your grade?

10      A     For the most part, I believe they all were. Then  
11           again, some of those -- see, the hard thing is, Lane,  
12           for you to ask me a question like that because I  
13           don't recognize their name, I sort of recognize their  
14           face. And they're all wearing our senior blazer and  
15           our school tie. So those pictures could have been  
16           from 1990 or 1994 and I would have known them when I  
17           was a freshman and they were a senior. It's hard to  
18           differentiate just given the fact that they're all  
19           just senior pictures. I mean, that's the only  
20           problem I have with that lineup.

21      Q     I'm just trying to understand something. All of  
22           these photos are -- I think what you're saying is  
23           they have -- everybody is kind of wearing the same  
24           coat and tie; is that fair?

25      A     Oh, no, not kind of. They're wearing our senior

1 blazer which would have the school crest in it and a  
2 blue and silver striped tie.

3 Q Right. But are you saying that you have a hard time  
4 differentiating their faces or recognizing them?

5 A Like, he looks like somebody -- go back one. He  
6 looks like somebody that I thought graduated with my  
7 cousin. But, again, I can't tell because I don't  
8 remember all of them.

9 Q And that's fine. I'm just trying to understand what  
10 you can recall. So just -- we've already gone  
11 through and you've identified certain folks. I'm  
12 just going to focus on the three that you could  
13 recognize. So with respect to Mr. Eiserman, did you  
14 have any --

15 MS. DOUGHERTY: Lane, before you go on,  
16 just to identify for the record, when Mr. Poulos  
17 said go back one, he was directing you to P100.2.

18 MR. JUBB: That's correct.

19 Q And, Mr. Poulos, just confirm for us, you were  
20 referring to P100.2, correct?

21 MS. DOUGHERTY: We can't hear you.

22 BY MR. JUBB:

23 Q We can't hear you, Mr. Poulos. Can you try talking  
24 again for us, Kurtis.

25 A I said I thought he graduated a year ahead of me, but

1 I could be mistaken.

2 Q Okay. And with respect -- and, again, Ms. Dougherty,  
3 that was 100.2 he was referring to in that regard.  
4 So focusing on those that you did recognize, 100.1  
5 being Mr. Eiserman --

6 A Eiserman.

7 Q Eiserman, did you have any friendly relationship with  
8 Mr. Eiserman during school? Your audio is out again.  
9 Can anybody hear me?

10 MS. DOUGHERTY: I can hear you. I can't  
11 hear him. I'm just trying to get his attention.

12 A -- as a hall --

13 Q Hold on, Mr. Poulos. You've been talking and none of  
14 us can hear you. So you're going to have to get  
15 closer to the microphone.

16 A Do you want me to use the microphone on my phone or  
17 on --

18 Q I'll tell you what. Just bring the laptop closer to  
19 you, it might pick up what you're saying. Or you're  
20 welcome to call in and we can go off the record.  
21 It's up to you.

22 A I'm just going to dial in.

23 MR. JUBB: Okay. We can go off the  
24 record.

25 VIDEOGRAPHER: We are now going off

Kurtis N. Poulos

1 record. The time is 2:21.

2 (Discussion off the record.)

3 VIDEOGRAPHER: We're back on record. The  
4 time is 2:23. You may continue.

5 MR. JUBB: Thank you.

6 Q Mr. Poulos, I'm going to show you Mr. Eiserman's  
7 photo again just to try and refresh your recollection  
8 here for the purpose of my next question. Were you  
9 friendly or in any way consider yourself friends with  
10 Jason Eiserman during your sophomore year?

11 A Jeremy Eiserman, and no, other than that he lived  
12 across the hall from me.

13 Q Have you had any discussion with Mr. Eiserman after  
14 you graduated?

15 A I haven't spoken to anyone from school since then.

16 Q With respect to P100.4 who you identified as Kent  
17 Andres, have you had any discussion with Mr. Andres  
18 since you graduated from school?

19 A Absolutely none.

20 Q Did you consider yourself to be friends with  
21 Mr. Andres at any time during your time at The Hill  
22 School?

23 A Yes, I did.

24 Q Did you ever live with him?

25 A No.

0617a

1 Q Did you -- strike that. Now, this is P100.6 who you  
2 identified as Lance Whitlock. Did you consider  
3 yourself --

4 A Yes.

5 Q -- to be friends with Mr. Whitlock when you were at  
6 The Hill School?

7 A We were friends. I mean, he allowed me to go to his  
8 house I think on one long weekend.

9 Q While you were at school?

10 A Yeah.

11 Q Have you ever had any discussions or contact with  
12 Mr. Whitlock after graduating?

13 A About this instance, no.

14 Q No, I'm sorry. My question is period. And were  
15 you --

16 A Oh, yeah.

17 Q I'm talking -- let me back up. When you were  
18 answering my questions pertaining to Mr. Eiserman and  
19 Mr. Andres, when I asked you about contact with them  
20 since graduating, am I correct you haven't had any  
21 contact with them whatsoever, not just as it relates  
22 to this?

23 A None whatsoever.

24 Q Thank you. And then with respect to Mr. Whitlock,  
25 have you had any discussions with him after



1 graduation?

2 A Yes.

3 Q Okay. And when were you friendly with him after  
4 graduation?

5 MS. DOUGHERTY: Objection, form.

6 A Right around 9/11. I went out to Ocean City,  
7 Maryland. The following summer.

8 BY MR. JUBB:

9 Q You say 9/11, you're referring to September 11th?

10 A Correct. That following summer I went out.

11 Q You graduated in 1997, though, correct?

12 A Correct.

13 Q And 9/11 occurred in 2001, though, right?

14 A Correct.

15 Q Okay. So the following summer would have been the  
16 summer of '98 which was three years -- four years  
17 before 2001.

18 MS. DOUGHERTY: Objection.

19 A Like I said, I didn't speak to him until after 9/11.  
20 And I couldn't tell you how I ended up in contact  
21 with him, but I did go out and visit Ocean City,  
22 Maryland.

23 BY MR. JUBB:

24 Q Okay. I think I understand what you're saying. What  
25 you're saying is following graduation you didn't have

1 any contact with Mr. Whitlock; however, around the  
2 time of 9/11 or shortly thereafter, you went to visit  
3 him; is that correct?

4 A Correct.

5 Q And you believe that's approximately 2001; is that  
6 right?

7 A No, it would have been the following summer. So  
8 2002.

9 Q Okay. And seeing that you hadn't had any sort of  
10 contact with him following graduation, how was it  
11 that you reached out to Mr. Whitlock?

12 A Honestly, I do not remember how I got in touch with  
13 him. I mean, that was 18 years ago.

14 Q Do you recall how long you were in contact with  
15 Mr. Whitlock?

16 A A couple of years.

17 Q After 2002?

18 A Yeah.

19 Q Did he ever visit you in Wisconsin?

20 A No.

21 Q Did you ever visit him again after 2002?

22 A Yeah. I went and lived out there for a short period  
23 of time.

24 Q And when you say out there, where are you referring  
25 to?

1 A Ocean City, Maryland.

2 Q So following 2002, you lived in Ocean City, Maryland?

3 A For less than a year.

4 Q Were you working at that time?

5 A Yeah. I was working for Secrets Bar & Grill.

6 Q In 2002, had you graduated from college?

7 A No. I dropped out of college.

8 Q And forgive me, where did you go or attend  
9 university?

10 A Marquette University.

11 Q And so in 2002, you had gone down to work at Secrets  
12 in Ocean City, Maryland, and you were staying with  
13 Mr. Whitlock?

14 A Yeah. He had a condominium.

15 Q Did you maintain any sort of friendly relationship  
16 with Mr. Whitlock for those, let's say, five years or  
17 so between the time you graduated The Hill School and  
18 the time you went down to stay with him when you were  
19 working at Secrets?

20 A Not really. I mean, no.

21 Q I'm sorry -- okay. You said no?

22 A No.

23 Q Following 2002, am I correct that you haven't had any  
24 contact with Mr. Whitlock?

25 A It would be more like 2004.

Kurtis N. Poulos

1 Q Okay. So from at least 2002 to 2004 you still had  
2 the relationship with Mr. Whitlock; is that fair?

3 A Yeah. I just explained to you I was living in his  
4 condominium.

5 Q Mr. Poulos, were you living in his condominium  
6 between 2002 and 2004?

7 A Yes.

8 Q Okay. So following 2004, why did you move back home?

9 A Because Salisbury, Maryland, and Ocean City,  
10 Maryland, there's nothing to do except when you're  
11 there in the summer. There's like, 7,000 people that  
12 live in that town. It's miserable.

13 Q Were you working at Secrets that entire time between  
14 2002 and 2004?

15 A Yes.

16 Q And why did -- after you -- strike that. So  
17 eventually you determined that you were going to go  
18 back to where, Wisconsin?

19 A Correct.

20 Q And you said that was because of the lack of --

21 A I just didn't want to be out there anymore.

22 Q Did you ever return?

23 A No.

24 Q Have you spoken with Mr. Whitlock since 2004?

25 A Nope.

1 Q Any particular reason?

2 A No.

3 Q Who's this guy?

4 A That's me.

5 Q And in this photo here, I imagine that's your car?

6 A Correct.

7 Q Is that the car that you brought to The Hill School?

8 A It is.

9 MS. DOUGHERTY: Is there a Bates number  
10 for this?

11 BY MR. JUBB:

12 Q In this photo below, are you in this photo?

13 A No. I took that photo when I was living in France.  
14 Those were some of the students I went to France  
15 with.

16 MS. DOUGHERTY: Is there a Bates label for  
17 what we're looking at?

18 MR. JUBB: There is, Candi. I apologize.  
19 It's P6.23.

20 Q And, Mr. Poulos, am I correct this is -- P6.23 is  
21 your senior page in your yearbook?

22 A Correct.

23 Q As part of your page, you've included photos of  
24 individuals who you met in France during your time in  
25 junior year; is that right?

1 A Incorrect. Those are one student from Marquette  
2 University High School and the three young ladies  
3 attended Divine Savior Holy Angels which is a private  
4 all-girls school.

5 Q All of those students are Americans; is that right?

6 A Correct.

7 Q Do you keep in touch with any of them?

8 A No.

9 Q With respect to the top line here where it says "It's  
10 a Zwerner - T. Ruth," is that Tom Ruth?

11 A Yeah.

12 Q What's this Zwerner?

13 A My cousin.

14 Q Can you explain the context of this line and why it's  
15 in your yearbook, please.

16 A Because he had my cousin as a student; and when I was  
17 sitting at Mr. Ruth's table, I did something that he  
18 said reminded me of my cousin. So he just started  
19 calling me Zwerner. Or saying you are --

20 Q Did you -- I'm sorry if I interrupted you.  
21 Mr. Poulos, was that a nickname that you held  
22 throughout high school?

23 A No, never. It was just a joke.

24 Q All right. I'm showing you what's been marked  
25 already as P6.26 which is the sixth form. It says

1           here -- and I will represent to you this is the  
2           senior year same book. You said you were in Foster,  
3           correct?

4       A     I thought so. It's the only dorm I remember. I  
5           would have been on the first floor.

6       Q     Do you see your name in that photo for the first  
7           floor Foster?

8       A     Then Foster was the other one -- or my dorm was the  
9           other one. Because Kent lived in first floor Foster  
10          and I just saw his name. I didn't live in the same  
11          dorm as him. So whatever the other senior dorm was.  
12          I honestly haven't looked or thought about this  
13          school in so long. So, yeah, I lived in Rolfe.

14                   MS. DOUGHERTY: I have a -- before you ask  
15          the next question. Mr. Poulos, I don't think you  
16          can smoke during your videotaped deposition, this  
17          being a court proceeding.

18       A     Okay. Go ahead.

19       BY MR. JUBB:

20       Q     Mr. Poulos, are you in the photo that is on page  
21           P6.26 next to 1 Rolfe?

22       A     I think that's me standing in the back.

23       Q     This guy?

24       A     Yeah. I think -- I can't tell. I know I had long  
25          hair at the beginning of the year. Nope, that's not

1 me. Oh, there I am with the hat on.

2 Q Okay. So why don't you walk me through who some of  
3 these people are, if you can. I imagine these --

4 A The only one I recognize is Lance Whitlock.

5 Q And Lance is where?

6 A In the white sweatshirt with the hat on backwards.

7 Q That's Lance (indicating). Is that correct?

8 A Yeah.

9 Q Thank you. And do you recall Mr. Bluestone at all?

10 A I don't remember anybody else in that photo.

11 Q Do these names ever ring any bell to you, Bluestone,  
12 Brady, Conole, tell me to stop if anything rings a  
13 bell. Gulbrandsen, Hatfield, Hylbert, Kang,  
14 Martinez, Park, Saxl, Ward, White, and obviously you  
15 know Lance Whitlock. Any of those names ring any  
16 bell to you?

17 A I remember the last name, what was it, Gulbrandsen?

18 Q Yeah.

19 A I recognize the last name, but I couldn't tell you  
20 who he is in that picture.

21 Q Okay. Did you have any memories of being friendly  
22 with these guys?

23 A I mean, Lance and I would hang out once in a while.  
24 You have to remember, we didn't really address each  
25 other by last name.



1 Q But you all lived together at night after school,  
2 right?

3 A Yeah, for the most part. I mean, we were seniors; so  
4 we could leave, come and go as we pleased.

5 Q Did some of these kids go to school with you for four  
6 years in a class of 90?

7 A In the last of what?

8 Q You said there was a class of 90, 96 I believe.

9 A I would assume that some of them were in classes with  
10 me in 1995 when I still was attending there. But I  
11 wasn't in attendance in 1996.

12 Q Oh, I'm sorry, a class of 96. I thought you were  
13 referring -- when you said 96 before, I thought you  
14 were referring to the class size, as to how many  
15 people.

16 A Oh, yeah. There was only about 94 or 95 people in  
17 our entire class, in our graduating class.

18 Q Okay. I'm showing you what is marked as P16.53,  
19 which is a letter dated August 7th, 1996. It appears  
20 to be from the associate headmaster, Harry Price.  
21 And in this letter directed to you, I'll read  
22 portions of it for you, but it says, "To ensure a  
23 good start here, you should get in touch with  
24 Mr. Ralston or Mrs. Colegrove to alert him or her to  
25 your return and to work out your course selections."

Kurtis N. Poulos

1 Did you contact either one of those people?

2 A I think I talked to Mr. Krueger.

3 Q And why is that?

4 A Because Mr. Krueger, if I remember correctly, was the  
5 head of discipline and I wouldn't have called  
6 Mr. Ralston. And I don't remember a Ms. Cosgrove --  
7 or Colegrove, I can't...

8 Q In other words, what you're saying is you -- in  
9 getting this letter, you contacted Mr. Krueger right  
10 here to let him know your plans?

11 A Correct.

12 Q But you would not have contacted Mr. Ralston?

13 A No.

14 (Interruption - Mr. Poulos talking to dog.)

15 Q Mr. Poulos, I'm going to show you what's been marked  
16 as P16.62. The date on this appears to be a fax  
17 dated August 8th, 1996.

18 A Yeah. It was faxed to my mother's office.

19 Q Well, this is a letter that was written to  
20 Mr. Ralston from you. Fair enough?

21 A I don't remember writing that.

22 Q Whose signature is that at the bottom?

23 A Mine.

24 Q Okay. Again, that's P16.62. For purposes of the  
25 record, I am pulling up P16.42. Mr. Poulos -- for

0628a

1 purposes of the record, this is P16.42. It is a  
2 letter from Martin Lodish directed to your mom,  
3 referring to you, obviously. And in here, Mr. Lodish  
4 in 1996 December refers to your time at The Hill  
5 School. And specifically, he writes here in the  
6 second paragraph, "This past term was a difficult one  
7 for Kurt. He had some significant rules violations  
8 at the beginning of the term as he readjusted the  
9 life at The Hill. Also, the incident at home over  
10 the holiday weekend upset him greatly. He rarely was  
11 smiling when I saw him about campus. He was not  
12 interacting with many of the other boys here.  
13 Recently Kurt seems to be a little bit happier, and  
14 Alberto Romero, his hall parent, tells me that he has  
15 been hanging out with another sixth former named  
16 Lance Whitlock. Also, Kurt has begun to open up to  
17 me."

18 When he wrote this in approximately  
19 December 1996 and he's referring to the incident at  
20 home over the holiday weekend upset him greatly, do  
21 you know what incident or have an idea as to what  
22 incident he's referring to?

23 A Holiday weekend? No.

24 Q Was there anything going on at home during this time  
25 frame that was causing you to be upset?

Kurtis N. Poulos

1 A Not to my recollection. But, again, that's 33 years  
2 ago -- or 23 years ago.

3 Q Was there any -- in this time frame, December of '96,  
4 did you have a relationship with your dad at this  
5 point?

6 A I had some sort of relationship. Maybe that was --  
7 maybe I got into an argument with him over something.  
8 I don't know. It might -- it could have been  
9 something really small that really upset me. I -- I  
10 have no recollection.

11 Q When you were at Hill and these letters were getting  
12 sent to your mom, did she have occasion to share them  
13 with you?

14 A No.

15 Q Would she bring to your attention some of your  
16 teachers' and advisors' concerns?

17 A Not really. I mean, when I was home on break, I was  
18 never really home. You know --

19 Q What do you mean by --

20 A You know, as soon as I got home, I got in a car and I  
21 went and saw my friends from Milwaukee and hung out  
22 with them.

23 Q Okay. I'm going to show you what's been marked as  
24 P16.42 and P16.43 [sic]. Mr. Poulos, this is dated  
25 April 23rd, 2016. It says, "Dear Hill School alumni

1 and parents."

2 MS. DOUGHERTY: Lane, just -- Mr. Jubb,  
3 can you repeat the Bates label because I had the  
4 last one and P16.42. This is 242. Okay. I see.  
5 So it's --

6 BY MR. JUBB:

7 Q Mr. Poulos, am I correct, did you ever receive this?

8 A I think I received it in an email.

9 Q And at the time you were getting emails from the  
10 school as an alumni generally; is that fair?

11 A Correct.

12 Q And in response to this email dated April 23rd, 2016,  
13 you said that you printed this out in your apartment  
14 that you lived with -- with Emily at the time, right?

15 A Correct.

16 Q And what did you do with it after you printed it out?

17 A I had a file folder.

18 Q Do you still have that file folder?

19 A I've got a bunch of file folders in my office here at  
20 my house. Mostly with documents from you.

21 Q But you had a file folder before I ever filed a  
22 lawsuit against you, so do you still have that file  
23 folder or is it the same one?

24 A No. That was more of, like, it wasn't necessarily a  
25 file folder pertaining to the school exactly. It was

1 more personal items like my birth certificate,  
2 anything I might need while I'm living in Connecticut  
3 that I wouldn't have easy access to, like the deed to  
4 my car -- or the title to my car I should say. I --  
5 you know, I needed to have a hard copy of that in  
6 case I needed to sell my Audi when I was living in  
7 Connecticut, or reinsure it, which I ended up having  
8 to do. So I had a folder with documents pertaining  
9 to me from -- like I said, my birth certificate, any  
10 lease information, stuff like that, just important  
11 documents.

12 Q Do you still maintain --

13 A Tax returns, et cetera.

14 Q Do you still maintain that folder?

15 A I maintain a few folders.

16 Q Do you maintain the folder in which you placed this  
17 document?

18 A Yeah. It's just a lot bigger now.

19 Q I'm showing what's been, previously marked as P16.237  
20 and P16.238 and P16.239. So a letter dated  
21 November 20th, 2017, from Zachary Lehman from --

22 A Can you stop scrolling when you get to the area with  
23 the highlighted blue letters. Yeah, that's the  
24 paragraph I'm most concerned with.

25 Q Okay. And when did you become concerned with this

1 paragraph?

2 A I received that letter. I forwarded it -- or that  
3 email. I forwarded it to my mother and said do you  
4 think I should reach out not to Zachary Lehman, but  
5 to the protection experts, their child protection  
6 experts, Leslie Gomez and Gina Smith. In no way do  
7 they state that they are attorneys.

8 Q Okay.

9 A And you know --

10 Q Did you contact them?

11 A No. I contacted my mother who did some research,  
12 thankfully, and found out that they were attorneys  
13 for The Hill School. So the letter to me was sent  
14 under false pretenses.

15 Q What type of lawyer is Leslie Gomez?

16 A I have no idea. I just know she's an attorney.

17 Q Do you know what Gina Smith does?

18 A No idea. But nowhere does it say that they are  
19 attorneys at law. It says they are child protection  
20 experts.

21 Q Did you look up their bios online?

22 A I did not. My mother did.

23 Q Did you see the other link where it says research dot  
24 net?

25 A I never followed -- I never went anywhere past that

1 email once she said do not contact them. I never  
2 connected -- or clicked on any of the hyperlinks, I  
3 never emailed them directly, I never emailed Zachary  
4 Lehman directly. I had nothing to do with any of  
5 those hyperlinks. That's why I wanted to point out  
6 that paragraph.

7 Q I see. But your mom told you don't contact them?

8 A She -- correct.

9 Q Okay. So at that point in time, by November 20th,  
10 2017, what had you told your mom to be the basis for  
11 asking her if you should contact any of these people?

12 A Well, she had already had me contact an attorney  
13 prior to 2014 to see if there was any legal recourse.  
14 There was not. So I had started to move on with my  
15 life after I got out of my coma. I never --

16 Q So --

17 A I never asked to be sent these specific emails. I  
18 was never, like, were there improprieties, please let  
19 me know who I can contact. These were emails sent to  
20 me unsolicited by the school to get information from  
21 previous students. I was intending on reaching out  
22 to them and seeing if they could offer some sort of  
23 mental health aide. And that's when I was informed  
24 that they were not child protection adversaries or  
25 experts, I should say. They were instead attorneys



1           representing the school; and to me and my mother, we  
2           believe under false pretenses they wanted us to call  
3           the school, tell them what happened. And I then was  
4           like, no, I'm not going to do that.

5       Q     So prior to 2014, your mom had told you that you  
6           should contact an attorney; is that right?

7       A     Yes. I had become very depressed, my drinking had  
8           gotten excessive. And I finally confided in to  
9           her -- to her what had happened, you know. And she  
10          had me contact an attorney out in Philadelphia who  
11          just said unfortunately, statute of limitations are  
12          way past due; you know, I wish you the best; if  
13          anything changes, please get in touch with me. But,  
14          like I said, I had moved on until the school started  
15          soliciting information.

16      Q     Prior to -- and forgive me, I just want to get -- you  
17           say prior to 2014. But I understand that to mean  
18           during '14, because you had mentioned that something  
19           had happened in '14. So is there any way that you  
20           could try and narrow down for me an approximate time  
21           frame? Like, when you say prior to 2014, is there a  
22           month, is there a date, is there something that  
23           sticks out in your mind?

24                           MS. DOUGHERTY: Objection.

25       BY MR. JUBB:

1 Q Mr. Poulos?

2 A Please ask the question again. You're fading in and  
3 out.

4 Q Sure. My question was -- you mentioned that in  
5 approximately 2014 or prior to 2014 when your mom  
6 told you to contact an attorney in Philadelphia. My  
7 question was are you able to give me a more specific  
8 time frame than simply around that 2014? Is there a  
9 month or a date that sticks out in your mind?

10 A It would have been sometime I believe in the spring  
11 or the summer because I was sitting outside on the  
12 porch. And obviously being Wisconsin, I'm not doing  
13 that in the middle of winter.

14 Q And in this time frame, did you -- who did you tell  
15 her was -- strike that.

16 When you had this conversation with your  
17 mom, tell me what you told her.

18 A I told her that there was an impropriety, that part  
19 of my demeanor change that she had noticed back in  
20 high school, that multiple people in my family had  
21 noticed, was a result of what had happened with a  
22 teacher. And I didn't even have to tell her which  
23 teacher. She guessed it.

24 Q How did she guess it?

25 A Because she could tell the way I behaved around him

1           versus other teachers. And especially the way he  
2           intimidated me even as a senior by trying to keep me  
3           from spending time with my family which he had no  
4           right to do. And to go back a step, I did tell one  
5           teacher that night. I told Mr. Romero what had  
6           happened. And he said I know you have permission to  
7           use that car. Why did he do that? And I said I  
8           don't know, but I'm going to be staying here.  
9           Because I had to check back into the dorm. As far as  
10          Mr. Romero knew, I wasn't going to be spending the  
11          night in the dormitory that night. I had signed off  
12          campus for the rest of the weekend to stay at the  
13          hotel. So I -- remember, part of our duty or his  
14          duty is to know who's in his dorm when he's on duty.  
15          I had to wake him up -- or, you know, get him to come  
16          up to his door and advise him that I would be  
17          spending the night in the dormitory by myself, and he  
18          asked why. And I told him because the plaintiff has  
19          parked me in and is refusing to move his vehicle  
20          until the following morning.

21        Q     At the time of the vehicle incident, was there a rule  
22              that when you leave with your car you're not allowed  
23              to come back until Sunday?

24        A     Not to my recollection. And even if that was a rule,  
25              again, it was my property, I was the one paying my

1           tuition, not my parents. And I was 18 years old. If  
2           I'm allowed to vote at 18, I should be able to decide  
3           if I can run into my dorm room, get my overnight bag  
4           which was already packed, and leave again without  
5           being harassed.

6       Q     Was there any rule that precluded you from parking on  
7           campus?

8       A     Again, no. If I was there parking with my mother,  
9           nothing would have happened.

10      Q     Did you get in trouble for that?

11      A     Did I?

12      Q     Yes, sir.

13      A     No, I did not get in any trouble because I had  
14           authority to use my vehicle to pick up my mother, use  
15           it for the weekend, return it to my assigned parking  
16           spot behind the Performing Arts building on Sunday  
17           night, and then return my keys to the Dean of  
18           Discipline I think through the mail slot in his door,  
19           or maybe the following morning.

20      Q     All right. I'm showing you what has been marked as  
21           P16. -- excuse me, this has been marked as P16.219  
22           and P16.220. And this is a letter dated April 11th,  
23           2018, to Zachary Lehman with the Law Offices of  
24           Mitchell Garabedian at the top. Prior to being sued,  
25           had you ever seen this letter before?

1 A I can't read it. All I see is his signature.

2 Q Okay. April 11th, 2018, had you seen this letter  
3 prior to being named a defendant in a lawsuit?

4 A Not to my knowledge.

5 Q In here, it states that you were repeatedly sexually  
6 molested by Mr. Ralston approximately 1993, when you  
7 were 15 years of age -- years of age, until  
8 approximately 1995 when he was approximately 17 years  
9 of age. Was this information that you had intended  
10 for The Hill School to learn?

11 A Through proper legal counsel.

12 Q In other words, this was information you wanted to  
13 relay to the school?

14 A Candi? I mean --

15 Q Are you looking to Ms. Dougherty for help?

16 A I'm just wondering if she has any objections to my  
17 answering this.

18 Q Mr. Poulos, you have a question to answer, and  
19 Ms. Dougherty is well aware of what she's able to  
20 object to.

21 A Okay.

22 Q My question was very simple. So, Ms. Bayer, if you  
23 could --

24 A I was not aware --

25 MS. DOUGHERTY: Hold -- why don't -- hold

1 on a second. Why don't you ask the question that  
2 you want him to answer again.

3 MR. JUBB: Which was my original -- if  
4 Ms. Bayer could read that back, that would be great.

5 MS. DOUGHERTY: I apologize. I didn't  
6 realize that's what you were doing.

7 (Question read by the reporter.)

8 MS. DOUGHERTY: I thought that there was  
9 an answer.

10 (Portion of record read.)

11 BY MR. JUBB:

12 Q Mr. Poulos, are you going to answer that question?

13 A Like I said before, this was information I did want  
14 to be made aware to the school through proper  
15 channels, meaning their legal counsel.

16 Q Did you intend to tell Zachary Lehman of what is  
17 highlighted in this document?

18 A Not directly. I believed that he was going to make  
19 the school's legal counsel aware of the situation;  
20 and then they would in turn contact the headmaster,  
21 let him know that there is a student, an alumni -- or  
22 alumnus that has come forward, not that he was going  
23 to write a letter directly to the headmaster.

24 Q His letter, it says Mr. Poulos's demand for  
25 settlement is \$1 million.

1 A That's not true.

2 Q Am I correct -- strike that. Did you intend to relay  
3 a demand for a million dollars to the school?

4 A No, I did not.

5 Q Was there ever any intention to relay a monetary  
6 demand to the school?

7 A All I initially wanted was my tuition back. That's  
8 it. I just wanted the money that I had spent to  
9 attend that school. Nothing more, nothing less.

10 Q I am sharing with you my screen which is a document  
11 Bates stamped P16.225 through P16.226. The date of  
12 this letter is December 26, 2018. Am I correct,  
13 Mr. Poulos, that you had not seen this letter prior  
14 to being named a defendant in this lawsuit?

15 A No, I do not believe so. If I -- the problem is at  
16 that time of the year, I was preparing to move from  
17 Connecticut back to Milwaukee. So there is a chance  
18 I received that in the mail, but there's a very good  
19 chance I put it in my file folder to be opened at a  
20 later date and never got around to it. I never  
21 imagined being named in a lawsuit.

22 Q In this letter, there are statements in here  
23 describing your relationship at the school and  
24 Mr. Ralston as your geometry teacher that were  
25 directed to, as you can see Mr. Rees, the school's

1           general counsel. And in here, when you read this  
2           letter after being named as a defendant, did you  
3           intend to relay to the school that -- on page 2 that  
4           Mr. Ralston sexually abused you in Mr. Ralston's  
5           geometry classroom?

6       A     I figured it would come out when it needed to be. I  
7           wasn't going to name the plaintiff by name until  
8           after things had -- I gave Mitchell his name  
9           specifically. (To dog:) Clifford, sit down. Sorry.  
10          I wouldn't have worded it this way if I was him. But  
11          I'm not an attorney. So me not being an attorney.  
12          Like I said, I never said his name out loud to  
13          anybody except to my attorney; and then later when my  
14          mother knew who it was or had a feeling she knew, I  
15          just confirmed who it was.

16       Q     In here it says --

17       A     But I never reached out directly to the school at any  
18          time.

19       Q     In here where the letter reads, "The sexual abuse  
20          consisted of, among other things, Mr. Ralston  
21          fondling Mr. Poulos' penis and testicles skin on  
22          skin, Mr. Ralston making Mr. Poulos fondle  
23          Mr. Ralston's penis and testicles skin on skin,  
24          Mr. Ralston putting his mouth on Mr. Poulos' penis,  
25          and Mr. Ralston making Poulos put his mouth on



1 Mr. Ralston's penis." Was that information that you  
2 intended to relay to The Hill School?

3 A I believe so, yes. I mean, there's some grammatical  
4 errors, but...

5 Q And in here, you reference that -- it says,  
6 Mr. Ralston sexually abused Mr. Poulos in  
7 Mr. Ralston's geometry classroom between  
8 approximately 10 and approximately 15 times." As  
9 part of the letter, it indicates that the geometry  
10 classroom was located at the end of a hallway and  
11 that it would occur after school when the geometry  
12 class was the last day of the class. Do you see  
13 that?

14 MS. DOUGHERTY: Objection.

15 A Yes, I do.

16 BY MR. JUBB:

17 Q And what day of the week was it the last day?

18 A As I stated earlier, I don't remember what days --  
19 which classes were my last class of the day.

20 Q In each of these 10 to 15 instances, did you explain  
21 the extent of -- strike that. Is it your position  
22 that what's written here, that there was fondling of  
23 your genitals and Mr. Ralston's genitals as well as  
24 Mr. Ralston putting his mouth on his own penis [sic]  
25 and Mr. Ralston making you put your mouth on his

1 penis, was there any other details that you provided?

2 A No.

3 Q Is it your position that that occurred between 10 and  
4 15 times?

5 A That would be my best guesstimate. Like I said, I  
6 tried to blank out basically everything that ever  
7 happened to me at that school.

8 Q And during this time frame between April 11th of 2018  
9 through December 26th, 2018, how often were you  
10 communicating with Mr. Garabedian?

11 A Little to none. I would call and leave messages.  
12 When I would finally either get him on the phone or  
13 he would call me back, he would just say to stand  
14 strong --

15 MS. DOUGHERTY: Objection.

16 A -- stay strong.

17 MS. DOUGHERTY: Mr. Poulos, just so you  
18 understand, it is my -- first of all, the question  
19 to you is I think a yes-or-no question. But it is  
20 my opinion that the commentary you're about to give  
21 would disclose privileged information.

22 THE WITNESS: Okay.

23 MS. DOUGHERTY: It is protected. You have  
24 a choice as to whether you want to disclose the  
25 information or not disclose the information.

Kurtis N. Poulos

1 A Can you ask the question again then, Lane.

2 MR. JUBB: I will -- we're going to have  
3 to address this with the court because he  
4 specifically is referring to what did and did not  
5 happen.

6 Q So my question was --

7 MS. DOUGHERTY: Well, hold on, hold on,  
8 hold on one second. Mr. Jubb, I agree with you that  
9 your question was asking that and I didn't see a way  
10 that your question was eliciting communications.  
11 But the answer then went into communications.  
12 Otherwise I would have made an objection and noted  
13 the comments before the answer started. So I do  
14 agree with you that, yes, your question was asking  
15 what did and didn't happen.

16 BY MR. JUBB:

17 Q Mr. Poulos, my question is between April 11th, 2018,  
18 and December 26, 2018, did you have any contact with  
19 Mr. Garabedian?

20 MS. DOUGHERTY: Objection. So it's  
21 clear --

22 MR. JUBB: Hold on. This is getting into  
23 very tricky of you advising him. And I'm asking a  
24 question that's not eliciting. Now, I do believe  
25 it's already been waived by virtue of the court's

1 previous order. I also believe it's been waived by  
2 what's occurred thus far. And to the extent that he  
3 has a position that's contrary to yours, that's not  
4 waiving anything.

5 MS. DOUGHERTY: Mr. Jubb, I'm not taking a  
6 position one way or another. As you realize, the  
7 attorney-client privilege is important. He is a pro  
8 se litigant. He might not understand the ins and  
9 outs of privilege. It is his to decide whether he  
10 wants to tell you the information or not. Your  
11 question asked about what happened, and my comment  
12 was going to be to clarify it so Mr. Poulos  
13 understands because the comment was made previously  
14 in the middle of his answer that it is -- the  
15 question that you were asking him is about what did  
16 and didn't happen, not about the content of  
17 communications. And it is my opinion that the  
18 content of communications between Mr. Poulos and  
19 Mr. Garabedian could be protected from disclosure by  
20 the attorney-client privilege which is a privilege  
21 owned by Mr. Poulos, and it is Mr. Poulos' choice  
22 whether he wants to tell you the information or not  
23 tell you the information. And it is certainly your  
24 right if he decides not to to challenge the issue  
25 with the court.

1 BY MR. JUBB:

2 Q Mr. Poulos, did you get all that?

3 A I did.

4 Q Okay. So let's focus on my question very  
5 specifically, and then we'll see to what extent we  
6 need to get the court involved. But let's just try  
7 and get through everything first since we're now  
8 getting on 4:00, and then I'll ask you a couple of  
9 questions to see if we even need to get the court  
10 involved based on what you're saying.

11 So between April 11, 2018, and  
12 December 26, 2018, did you have any discussions with  
13 Mr. Garabedian?

14 A Yes.

15 Q And approximately how many times did you have a  
16 discussion with Mr. Garabedian between April 11th,  
17 2018, when the first letter was written to  
18 December 26th, 2018?

19 A I have no idea.

20 Q Did you predominantly communicate by phone or by  
21 email?

22 A By phone.

23 Q And how would you coordinate the times to speak?  
24 Would they just be calls out of the blue?

25 MS. DOUGHERTY: Objection. My objection

1 is a form objection. If you understand the  
2 question, you can answer it.

3 A I understand the question.

4 BY MR. JUBB:

5 Q Can you answer it?

6 A They were mostly phone calls out of the blue.

7 Q The information that's contained in the December 26,  
8 2018 letter, is that information that you intended  
9 Mr. Garabedian to relay to the school?

10 A Through proper legal counsel.

11 Q And what do you mean by that?

12 A Meaning he would relay to the school's attorneys, the  
13 school's attorneys would work with Garabedian and  
14 make the headmaster aware of the allegations.

15 Q So you were aware that the headmaster would be made  
16 aware of these allegations, correct?

17 A Eventually, yes.

18 Q And based on your understanding of how the school  
19 worked, am I correct that you were aware that it  
20 would be not only the headmaster but the people that  
21 he reports to as well, correct?

22 A The board of trustees.

23 Q That's correct.

24 A Yes.

25 Q And with respect to the contact that you had with the

1 attorney in Philadelphia in 2014 time frame who  
2 advised you that the statute of limitations had been  
3 blown, is that something that you were aware of in  
4 April of 2018?

5 MS. DOUGHERTY: Objection. My objection  
6 is a form objection because it mischaracterizes your  
7 testimony, prior testimony.

8 A I agree.

9 BY MR. JUBB:

10 Q So are you objecting to my question?

11 A I am.

12 Q Okay. Prior to April of 2018, you were aware of what  
13 a statute of limitations was, correct?

14 A Correct.

15 Q What's the statute of limitations?

16 A It is the amount of time where a crime that has been  
17 committed can be prosecuted in what I believe to only  
18 be a criminal court, not a civil court.

19 Q You spoke with a civil attorney in 2014?

20 A No. I spoke with a criminal attorney in 2014.

21 Q What attorney was that?

22 A I don't recall.

23 Q Did you come to Philadelphia?

24 A No. I spoke to him over the phone. I haven't been  
25 to Philadelphia for over 20 years.

1 Q How did you select the attorney in 2014?

2 A I did not select the attorney in 2014.

3 Q Did your mom?

4 A Correct.

5 Q And your mom was a lawyer for about 40 years?

6 A Correct.

7 Q Showing you what is P16.228. It's a letter dated  
8 January 28th, 2019, from Mr. Garabedian to the  
9 school's counsel. In this letter, it references a  
10 telephone conversation on December 21st, 2018, and a  
11 recommendation that the parties agree to attend a  
12 mediation. What's a mediation?

13 A Mediation is basically the two parties sit down,  
14 discuss the case at hand; and the mediator, you know,  
15 works with them to come to amicable agreement for  
16 both parties.

17 Q Were you made aware of any mediation in this case?

18 MS. DOUGHERTY: Objection. It is my  
19 opinion to the extent the question is eliciting  
20 communications between you and an attorney --

21 MR. JUBB: It asks --

22 MS. DOUGHERTY: -- in particular  
23 Mr. Garabedian, it could be protective on disclosure  
24 by the attorney-client privilege and you can decide  
25 whether or not you want to disclose that



1 information.

2 BY MR. JUBB:

3 Q Did you get that legal advice, Mr. Poulos?

4 MS. DOUGHERTY: Mr. Jubb, it's not legal  
5 advice. You certainly know how important the  
6 attorney-client privilege is. I assume that your  
7 question wasn't directed to elicit attorney-client  
8 privileged communications, that you were just asking  
9 for the information which it doesn't directly ask  
10 for a communication, so I assume you were not. But  
11 I want to make sure that the witness understands --

12 MR. JUBB: Goal here is to get through --

13 MS. DOUGHERTY: -- and doesn't disclose  
14 the protected informs because he's done it once or  
15 twice when you've asked him a perfectly appropriate  
16 question that I don't think would have elicited the  
17 protected information. It's not legal advice.  
18 It's, again, the most important privilege I think  
19 that exists in the legal system and -- you know.

20 MR. JUBB: Again, my goal here is to ask  
21 questions that are -- unquestionably do not even  
22 call for it. My position is that it's already been  
23 waived, and I'm trying to wait 'til the end of my  
24 questions because to the extent that there are going  
25 to be objections, those are the ones that need to be

1 addressed with the court. So what I'm trying to do  
2 is ask those questions that you acknowledge are not  
3 calling for them. I would just appreciate that you  
4 not try and assist the witness on every single time  
5 I ask, as you said, a perfectly appropriate question  
6 how to answer those questions because that's what's  
7 being done. So I just --

8 MS. DOUGHERTY: Mr. Jubb, I'm not  
9 assisting the witness in answering. And if I think  
10 it is -- it sounds to me like you were taking a  
11 position, which perhaps is a better way to deal with  
12 it, to tell Mr. Poulos that your questions at this  
13 time are not designed to elicit the content of  
14 communications with Mr. Garabedian. So then he will  
15 know and I won't feel a need to say anything.

16 BY MR. JUBB:

17 Q Mr. Poulos, you have the ability as a witness to  
18 answer my question at the truest and accurate extent  
19 possible. If in doing that it involves you  
20 discussing conversations that may be protected by the  
21 attorney-client privilege, please feel free to say  
22 so. It's my position that that's already been  
23 waived. So we're going to get to those very, very  
24 clear questions towards the end. Right now I'm just  
25 asking if you could just focus on my question,

1           that'll be good. Then we'll get to the messier stuff  
2           towards the end. Okay? So for purposes of my --

3                   MS. DOUGHERTY: Well, Mr. Jubb, I think  
4           you might want to also let him know that he has a  
5           choice if he wants to waive the privilege because it  
6           belongs to him and answer your question even if he  
7           thinks it will involve a communication.

8                   MR. JUBB: He knows that based off of his  
9           answers already.

10       Q       So, Mr. Poulos, if you want to waive it and defend  
11       yourself by waiving the privilege, you're more than  
12       capable of doing that too if you believe that it's  
13       going to help your defense.

14                   So with that as a background, my question  
15       was pertaining to mediation which I think you  
16       answered, I forget what my question just recently was  
17       as it related to that objection. However, following  
18       in this letter, it says, "Mr. Poulos will not agree  
19       to confidentiality as a condition to any settlement  
20       of his sexual abuse claim." Do you see that? Do you  
21       see that, sir? My question is --

22       A       It says that.

23       Q       -- only if you saw it. And my follow-up is this.  
24       Did you intend to relay to the school that  
25       confidentiality was not on the table?

1       A       I don't feel comfortable answering that because I  
2               believe it's going to -- no, because that's part of  
3               my attorney-client privilege.  Whatever I discussed  
4               with my attorney is attorney-client privileged.  I'm  
5               not going to discuss any conversations I had with  
6               Mitchell Garabedian.

7       Q       Well, there's a difference of when it's applicable  
8               and when it's not.  And so with respect to each  
9               individual question, I guess we're going to have to  
10              get the court involved and get you back here for a  
11              couple of things.  But the attorney-client  
12              privilege --

13                   MS. DOUGHERTY:  All right.  Objection,  
14                   don't threaten him.  Don't suggest --

15                   MR. JUBB:  I'm not threatening him.

16                   MS. DOUGHERTY:  -- that he's going to have  
17                   to come back if he invokes his privilege.

18                   MR. JUBB:  I will --

19                   MS. DOUGHERTY:  Why don't you just ask a  
20                   clarifying question.  Maybe he didn't understand.  
21                   Because I don't --

22                   MR. JUBB:  You're just trying to help him  
23                   to get him -- by saying he didn't understand.

24                   MS. DOUGHERTY:  I'm not trying to help  
25                   him.  I'm trying to help you --

Kurtis N. Poulos

1 MR. JUBB: I don't --

2 MS. DOUGHERTY: -- because I don't think  
3 you were intending to elicit a communication with  
4 Mr. Garabedian.

5 MR. JUDD: I've already given him  
6 instructions on what it is.

7 MS. DOUGHERTY: Okay.

8 BY MR. JUBB:

9 Q So, Mr. Poulos, my question to you was did you intend  
10 to relay to the school that you did not want  
11 confidentiality as part of any settlement, intend to  
12 relay to the school?

13 A Was I going to directly ask -- tell them?

14 Q Did you want anyone on your behalf to relay to the  
15 school that you would not agree to any  
16 confidentiality?

17 A Yes.

18 Q And why is that?

19 A Because I'm not the only person this must have  
20 happened to.

21 Q And what's the basis for that?

22 A I'm not going to answer that at this time.

23 MS. DOUGHERTY: Objection.

24 BY MR. JUBB:

25 Q Did you have any information and do you have any

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1 information to suggest that this has happened to --  
2 what you say happened to you happened to anybody  
3 else?

4 A I'm not going to answer that at this time.

5 Q Can you tell me why not?

6 A A multitude of reasons which I'm not going to get  
7 into right now, but I am not going to answer that  
8 question at this time.

9 Q Sir, as you sit there in your recliner, do you have  
10 any information to suggest that what your allegations  
11 were in these letters to the school in any way  
12 occurred to anybody else?

13 MS. DOUGHERTY: Objection, move to strike  
14 the comment about the recliner.

15 BY MR. JUBB:

16 Q You can answer. Are you thinking or -- ? Are you  
17 still thinking?

18 A No. I'm trying to figure out what you are asking.  
19 And to be honest, about the recliner thing, it's  
20 because I have nowhere else to sit where the wires  
21 reach in my apartment right now.

22 Q Sir, do you have any information as you sit there in  
23 this deposition to suggest that what you accuse this  
24 person of doing in your letters ever occurred to  
25 anybody else?

1 A Can you clarify, with that specific teacher or with  
2 any teacher?

3 Q With the specific teacher.

4 A No, I do not.

5 Q All right. I'm showing you what has been marked as  
6 P16.235, which is a letter dated March 26, 2019, to  
7 Mitchell Garabedian. And in this letter from the  
8 school's counsel, it says that, "On February 21st,  
9 2019, I sent you the attached letter reminding you  
10 that Gina Smith and Leslie Gomez, The Hill School's  
11 outside attorneys investigating this claim, wanted to  
12 meet with you and your client, Kurtis Nicholas  
13 Poulos, at your offices in Boston." Let me stop  
14 there.

15 Mr. Poulos, did you ever have any  
16 intention of going to Boston to meet with either  
17 Ms. Smith or Ms. Gomez or anyone as part of  
18 investigating this claim in this case?

19 A No.

20 Q It reads further, "Since you had not responded to our  
21 earlier requests, I asked you to contact either our  
22 offices or Ms. Smith, Ms. Gomez, on or before  
23 March 1st to set up this meeting. Neither I nor  
24 Ms. Smith or Ms. Gomez heard from you by March 1st."  
25 Let me stop there.

1                   Mr. Poulos, did you in any way ever try to  
2                   contact any one of those individuals by March 1st?

3       A       I've never -- no.

4       Q       "On this basis, we have concluded that your client is  
5               not in a position to pursue this matter at this  
6               time." Did you ever see this letter?

7       A       Only afterward.

8       Q       After you were sued?

9       A       No, after the deadline of March 1st. I was moving --  
10              I moved into my new apartment on March 1st. So for  
11              three or four days I was in transit from Connecticut  
12              to Milwaukee.

13      Q       Did you have any discussions -- I'm just asking if  
14              any occurred -- with Mr. Garabedian or an attorney  
15              from his law office between December 27th through  
16              March 1st?

17      A       Yes.

18      Q       Okay. And who do you believe you spoke with between  
19              that time frame?

20      A       Mitchell --

21                   MS. DOUGHERTY: I'm sorry, is the  
22              question --

23      A       -- and one of his associates.

24                   (Interruption by the reporter.)

25                   MS. DOUGHERTY: I may have misheard. Did



1           you say December 2017 or December 27th? Or --

2                       MR. JUBB: December 27 of 2018.

3                       MS. DOUGHERTY: Okay. Thank you.

4       BY MR. JUBB:

5       Q     And your response was -- ?

6       A     2018?

7       Q     Yeah, 2018. Let me ask you again.

8       A     Ask the question again because you keep mixing up  
9             your dates.

10      Q     I'm not sure I do. Between December of 2018 when  
11             that second letter went out through March 1st of  
12             2019, so a matter of about three months, did you have  
13             any contact with Mr. Garabedian or anyone from his  
14             office?

15      A     I believe so.

16      Q     And who do you believe that you had spoken with?

17      A     Mitchell Garabedian.

18      Q     Do you know who Nathan Gaul is?

19      A     Nope.

20                    MS. DOUGHERTY: Could we have a comfort  
21             break when you're at a good place?

22                    MR. JUBB: Yeah. This might be a good  
23             place. Can we go off the record for about five  
24             minutes?

25                    VIDEOGRAPHER: We are now going off the

1 record. The time is 3:33.

2 (Recess taken from 3:33 to 3:41 p.m.)

3 VIDEOGRAPHER: We are now back on the  
4 record. The time is 3:41. You may continue.

5 MR. JUBB: Thank you.

6 Q Mr. Poulos, with respect to the last couple of  
7 questions, we ended off with the letter where a man  
8 by the name of Nathan was cc'd. And you had said you  
9 had never spoken with that person before?

10 A I believe it's one of Mr. Garabedian's assistants. I  
11 could be wrong.

12 Q Did you ever speak to any of his associates by phone?

13 A Only in the presence of Mitchell.

14 Q When you say "in the presence," do you mean he was  
15 also on the line?

16 A Correct.

17 Q And that's because it was a teleconference, if you  
18 will?

19 A Never -- it was never a teleconference. It was the  
20 two of them on speakerphone.

21 Q At any point in time, did you ask your mom to talk  
22 with you guys?

23 MS. DOUGHERTY: Objection.

24 A No.

25 BY MR. JUBB:

Kurtis N. Poulos

1 Q Did your mom -- strike that. Did you ever go to  
2 Mr. Garabedian's office?

3 A No.

4 Q Did you ever meet him personally?

5 A No.

6 Q Did your mom ever meet Mr. Garabedian?

7 A No.

8 Q How did you learn of Mr. Garabedian?

9 A My mother.

10 Q Do you know what type of research your mom did to  
11 find Mr. Garabedian?

12 A No.

13 Q I'm going to show you what has been produced to us by  
14 Mr. Garabedian's office as Garabedian 240 through  
15 Garabedian 303. Mr. Poulos, these have  
16 Mr. Garabedian's letterhead on them. They're what's  
17 known as a HITECH letters as well as authorizations.  
18 Is this your signature?

19 A Yes.

20 Q Do you recall signing these authorizations?

21 A Yes.

22 Q Did you do that by printing them out, signing them  
23 and sending them back?

24 A Yes.

25 Q And is there any particular reason why they're not

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1 dated?

2 A No. Oversight.

3 Q Okay. So here it looks like on Garabedian 256,  
4 approximately 17 pages later from the first, it's  
5 dated December 15th, 2017. Is that your signature?

6 A Yes.

7 Q Is that your handwriting by the date?

8 A Yes.

9 Q And was this -- strike that. Were these documents  
10 that were sent to you all at one time or were they  
11 piecemeal? In other words, did you receive all of  
12 these letters for your signature in one instance or  
13 was it multiple occasions that you recall signing  
14 these things?

15 A I believe it was one packet of paperwork.

16 Q When you say packet, did you receive something else  
17 in the mail?

18 A Can you speak up.

19 Q Sure. When you said packet, was it something that  
20 you received in the mail?

21 A It was something I believe I received in a FedEx  
22 envelope, maybe the USPS, but I think it was an  
23 envelope.

24 Q And then you sent these letters back signed; is that  
25 right?

Kurtis N. Poulos

1 A Correct.

2 Q So in approximately May of 2019, I see an instance  
3 here, is that your signature?

4 A Yes. So some of these -- I mean, you're scrolling so  
5 quickly. Somebody must have --

6 Q No, I'm not asking questions about those, Mr. Poulos.  
7 I promise. I'm not asking you about those. Just  
8 bear with me. The one that you have before you which  
9 is Garabedian 288, dated May 19th, 2019, is that your  
10 signature?

11 A Yes.

12 Q Is that your handwriting for the date?

13 A Yes.

14 Q Okay. And so do you recall in approximately May of  
15 2019 signing these documents?

16 A Yes.

17 Q Are these documents that you printed out from an  
18 email or were they documents that were sent to you by  
19 hard copy?

20 A I believe I printed them out.

21 Q And were you still represented by Mr. Garabedian in  
22 May of 2019?

23 A Yes.

24 Q Do you know -- do you have any understanding as to  
25 where these letters were being sent to that are

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1           blacked out?

2       A       Some of them I believe were to different doctors.

3       Q       Okay. Do you know which doctors that you wanted your  
4               records for to give to Mr. Garabedian?

5       A       The only doctor would be Dr. Grade.

6       Q       Okay. Because on here I see you've got a couple of  
7               them. But as far as you know, you only wanted  
8               Mr. Garabedian to get Mr. Grade's records?

9       A       Yes. It's the only doctor that would pertain to  
10              this.

11      Q       Did you ever seek any psychological treatment from  
12              anyone after Dr. Grade?

13      A       No.

14      Q       Have you ever received any of your medical records in  
15              response to these requests?

16                      MS. DOUGHERTY: Objection.

17      A       Not to my knowledge.

18                      MS. DOUGHERTY: Can you identify the  
19              specific requests because some of the documents I  
20              don't think were for medical records.

21                      MR. JUBB: Well, my question just  
22              pertained to medical records.

23                      MS. DOUGHERTY: Okay. That's fine.

24      BY MR. JUBB:

25      Q       Yeah. And at the top, I mean, I could go through

1           them. I'm trying to hurry this up. It says  
2           attention medical records correspondence, this is  
3           Garabedian 303. At the top it's addressed, it says  
4           pursuant to complete medical. I mean it's over and  
5           over. I'm only asking about medical records. But,  
6           Mr. Poulos, as far as you know, you've never seen any  
7           of your medical records that were requested; is that  
8           fair?

9       A     Correct.

10      Q     How is your relationship with your cousin,  
11           Mr. Zwerner?

12      A     I mean, it's good. We talk every once in a while.

13      Q     Do you see each other on holidays?

14      A     I try and send a text message to him and his brother.

15      Q     Do you know whether or not they have good things to  
16           say about Mr. Ralston?

17      A     I have no idea what Jason would have to say.

18      Q     Am I correct that when you were a fourth former,  
19           Jason Zwerner was at The Hill School?

20      A     He was a fifth former.

21      Q     Have you ever been charged with any crimes of fraud?

22      A     No.

23      Q     Has there ever been a warrant out for your arrest?

24      A     Yes.

25      Q     And when was that?

Kurtis N. Foulos

1 A It was pertaining to a company credit card I used  
2 that they said I improperly used.

3 Q Did you improperly use it?

4 A No. I used it to take clients out to dinners.

5 Q When was that?

6 A When I was living in Ocean City.

7 Q Whatever happened with that warrant?

8 A Nothing. It got thrown out.

9 Q When did that get, as you said, thrown out?

10 A Sometime when I was living in Connecticut. So mid  
11 2016.

12 Q Who were the accusers in that case?

13 A Lance's mother.

14 Q That's Lance Whitlock from The Hill School?

15 A Yes. She had hired me to work for her part time, do  
16 appraisals when I wasn't working at Secrets.

17 Q Did you ever appear in court?

18 A Nope.

19 Q Did you have to hire a lawyer?

20 A Yeah.

21 Q Where was that case venued?

22 A Whatever county Berlin, Maryland, is in.

23 Q Do you know what the allegations were specifically?

24 A Improper use of a credit card.

25 Q Did you ever see the complaint?

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1 A No.

2 Q What amount of money were you accused of improperly  
3 using, as you described?

4 A I don't know the specific number.

5 Q Was it more than a thousand dollars?

6 A Huh?

7 Q Was it more than a thousand dollars?

8 A I don't believe so. Maybe 1,500, 2,000.

9 Q With respect to the classroom, your geometry  
10 classroom, you mentioned that it was in the basement  
11 of upper school and --

12 A Correct.

13 Q -- you would enter from the basement. And then was  
14 there a classroom on your right or a classroom on  
15 your left?

16 A I believe there was a classroom on the right because,  
17 if my memory serves, when you take a left, there's  
18 only room for one classroom down that small corridor.  
19 And that would have been Mr. Ralston's.

20 Q And was that -- at the time that was his classroom?

21 A Yes.

22 Q Was Mr. Ralston ever the sixth form advisor for you?

23 A I don't believe so, no. Other than that letter  
24 asking me to reach out to him.

25 Q Did you have any other interaction with Mr. Ralston

1 during your third form year?

2 A With my what?

3 Q Third form.

4 A We had some small interactions third form. I don't  
5 remember the specifics.

6 Q Do you remember anything general about them?

7 A He might have been one of my table masters. Every  
8 once in a while you have to change tables so you get  
9 to meet teachers that you might not necessarily have  
10 in your tenure at the -- you know, at your time at  
11 the school.

12 Q Walk me through how it was that you would stay after  
13 class per your letter.

14 A Well, he made an example out of me almost every class  
15 he could. He'd make me do exams on the chalkboard  
16 rather than on paper because he thought I was  
17 cheating. So he would single me out and have me do  
18 the problems up there in front of everybody.

19 Q Would anybody else have to do problems on the board?

20 A No, never.

21 Q And in --

22 A I mean, maybe -- maybe they'd have to do it for,  
23 like, an individual question. But he was having me  
24 do ten questions during the middle of a quiz because  
25 I wasn't showing my work. So he singled me out

1           because I was able to do the work without going  
2           through the proper A, B and C's of a geometry  
3           question.

4       Q     I'm not sure I'm totally following.  So you mentioned  
5           that during a quiz he would have you do the quiz on  
6           the board?

7       A     Yes.

8       Q     And everybody else is taking the quiz at their desks?

9       A     Correct.

10      Q     And when you were up at the board -- and how would he  
11           grade it?

12      A     He would grade it in front of the class.

13      Q     And so while -- did everybody else submit their  
14           quizzes on paper?

15      A     Correct.

16      Q     And then he would grade your class in front of  
17           everybody -- your quiz in front of everybody?

18      A     No.  He would grade my test in front of everybody,  
19           and he'd grade theirs whenever he felt like it.

20      Q     How many instances did this happen?

21      A     At least a half a dozen, if not more.

22      Q     Do you recall any other students ever having to do  
23           this?

24      A     No.

25      Q     Would he criticize your work?

1 A He criticized the fact that I didn't show my work. I  
2 would get a question and I would answer it.

3 Q But I'm talking about when he would grade your  
4 quizzes, would you just write the answer or would you  
5 show your work?

6 A I wouldn't show my work, no. I didn't need to.

7 Q Was there a request by him to all the students to  
8 show their work?

9 A Probably, yes. But why take the time?

10 Q In other words, as far as you were concerned, an  
11 answer is an answer and how you got there is  
12 irrelevant. Is that what your position was when you  
13 were a sophomore?

14 A Yeah. If you want me to get from A to F, why am I  
15 going to show you, B, C, D and E if I can just show  
16 you F?

17 Q Do you know if your other classmates were showing A,  
18 B, C, D and E before they got to F?

19 A More than likely they were all showing it. They all  
20 needed to in order to figure out the problem. I'm  
21 not saying I'm like a genius or something. But why  
22 am I going to do all these steps if I don't find them  
23 necessary to get the correct answer?

24 Q And is this something about -- you know, showing how  
25 you got the answer in a geometry class, is this

1 something that you just continued to not show your  
2 work?

3 A It was more like I could see the work and it would  
4 slow me down to write it all down rather than just  
5 write the answer. I could see the process. But  
6 having to write out every single line in the equation  
7 would take me five times longer than just writing  
8 down the answer.

9 Q Did he ever give you an explanation for why that was  
10 important to him?

11 A To make sure that I -- one was at first to make sure  
12 I wasn't cheating, which was impossible because he  
13 took our graphing calculators. And I think it was  
14 partially to respect the process. But why can't he  
15 respect my process then if I get to the same  
16 conclusion?

17 Q Did he explain to you ever a concept of if you show  
18 all your work in steps A, B, C, D and E, but you get  
19 the answer F wrong, then you would still be able to  
20 get the vast majority of the points by doing that?

21 A No.

22 Q With respect to the answer that you filed in this  
23 case, the motions that you filed, were all of your  
24 statements in there true and accurate to the best of  
25 your ability?

Kurtis N. Poulos

1 A Yes.

2 Q Has there ever been a statement in any of those  
3 pleadings or motions that you knew was false?

4 A No.

5 MS. DOUGHERTY: Objection.

6 BY MR. JUBB:

7 Q You mentioned in one of the pleadings, I believe it  
8 was your -- forgive me. It's irrelevant for the  
9 purpose of this question. But in there -- strike  
10 that.

11 In one of the pleadings, I recall that you  
12 said in there specifically the teacher I spoke with  
13 Mr. Garabedian about was not at The Hill School, he  
14 was at another school. Do you recall saying that?

15 MS. DOUGHERTY: Objection.

16 A I'm not going to answer that. That's a conversation  
17 I had with my attorney.

18 BY MR. JUBB:

19 Q Well, sir, I can show you the document. We can go  
20 that way. It's 5:00, but I'm happy to show you what  
21 you wrote. All right. So, Mr. Poulos, this is the  
22 motion to dismiss that you filed. It says here in  
23 paragraph 6, "The confusion arises because at the  
24 time of the communication with Attorney Garabedian  
25 this teacher was no longer HIS school community if by

1           this reference you mean he had continuous tenure at  
2           my school in Pottstown, PA --"

3                       MS. DOUGHERTY: Objection.

4   BY MR. JUBB:

5   Q       "The teacher I talked about with Mr. Garabedian and  
6           only Attorney Garabedian was at the time the head of  
7           school at a different institution than the one I  
8           attended." So with respect to these two --

9                       MS. DOUGHERTY: Object.

10  BY MR. JUBB:

11  Q       So with respect to these two paragraphs that you  
12           wrote and you filed, how is it that you were aware  
13           that Mr. Ralston was no longer at The Hill School but  
14           was the head of school at a different institution?  
15           Can you tell us about that?

16                      MS. DOUGHERTY: Objection, I think you  
17           read paragraph 6 incorrectly twice. It's at HIS  
18           school community.

19  BY MR. JUBB:

20  Q       Mr. Poulos, do you remember my question?

21  A       Can you say it again.

22  Q       All right. I'll read this so we can go through my  
23           reading abilities. So paragraph 6, "The confusion  
24           arises because at the time of the communication with  
25           Attorney Garabedian, this teacher was no longer at,

1 quote, HIS school community, closed quote, if by this  
2 reference it means he had continuous tenure at my  
3 school in Pottstown, PA." Paragraph 7, "The teacher  
4 I talked about with Attorney Garabedian and only  
5 Attorney Garabedian was at the time the head of  
6 school at a different institution than the one I  
7 attended."

8 So my question to you is how did you  
9 become aware that Mr. Ralston was the head of school  
10 at a different institution before you told  
11 Mr. Garabedian about it?

12 A Oh, my mom.

13 Q She looked him up?

14 A Yes.

15 Q When did she look him up?

16 A I don't know what she does on a day-to-day basis.

17 Q Okay. But you told Mr. Garabedian, at least  
18 according to what you wrote here, the teacher you  
19 talked to Mr. Garabedian about was head of school at  
20 a different institution. So at least as of the first  
21 time you first spoke to Mr. Garabedian, you believed  
22 that Mr. Ralston was the head of school at a  
23 different institution. Fair enough?

24 A Yeah, fair enough.

25 Q Prior -- strike that. At what point in time in



1 2019 -- strike that.

2 We saw the HITECH letters dated May of  
3 2019 that you had signed for Mr. Garabedian to get  
4 your medical records. After that date, when was it  
5 that you were no longer represented by  
6 Mr. Garabedian?

7 MS. DOUGHERTY: Objection.

8 A I'm not answering that.

9 BY MR. JUBB:

10 Q All right. So this might be a good time to get into  
11 these types of questions. All right. So how did you  
12 learn -- strike that. Is it your understanding that  
13 Mr. Garabedian is no longer your lawyer?

14 A No.

15 Q You're shaking your head no. I want to make sure you  
16 understand my question. Is Mr. Garabedian still your  
17 lawyer?

18 A To my knowledge, yes.

19 Q When was the last time you spoke with him?

20 A Around the time that this whole thing started.

21 Q And have you had any conversations with  
22 Mr. Garabedian's counsel, whether Ms. Dougherty or  
23 someone from her firm?

24 A Yes.

25 Q Can you tell me what you talked about with

1 Ms. Dougherty and someone from her firm, please?

2 A It was the last time that we had to do one of these  
3 with the judge and he told you both that I could call  
4 and ask for help. I spoke with her after the judge  
5 got off the line; and I just basically said I  
6 appreciate any help I could get in the future, and  
7 that was the end of the conversation.

8 Q And what type of help, if any, have you gotten in the  
9 future?

10 A On how to word certain things. I've never had to  
11 reach out to her, though. It was more of a courtesy  
12 to say I would appreciate your help and the fact that  
13 you agreed to help. But since then I've had no  
14 reason to contact her.

15 Q Did you have any conversations with anyone who was  
16 acting on Mr. Garabedian's behalf, and not  
17 Ms. Dougherty, but just anyone who was acting on his  
18 behalf as related to this case?

19 A I may have received emails dated -- or, you know,  
20 that were composed by somebody in her firm on her  
21 behalf.

22 Q And what were those emails pertaining to?

23 A Just to be prepared for documents that I would be  
24 receiving in the mail.

25 Q With respect to the conversations that you had with

1           your mom, am I correct that she's the one who  
2           encouraged you to contact Mr. Garabedian?

3       A     Correct.

4       Q     And did she ever contact any other lawyer before  
5           contacting Mr. Garabedian?

6       A     I have no idea.

7       Q     Do you get legal advice from your mom?

8       A     When it comes to certain things, yeah. Why wouldn't  
9           I utilize somebody who's been an attorney for 40  
10          years?

11      Q     Right. And with respect to the documents that you  
12          had filed, has she assisted you with drafting those?

13      A     Some of them, yes.

14      Q     With respect to some of the -- am I correct your mom  
15          has actually reached out to Mr. Garabedian on your  
16          behalf on occasion?

17      A     You'd have to ask her.

18      Q     Does she still work?

19      A     No. She's been retired for a while.

20      Q     Does she know how to use the computer?

21      A     Yes. She does legal research.

22      Q     Are there any other instances that you can recall  
23          where you've received assistance from either  
24          Ms. Dougherty or someone at her firm acting on behalf  
25          of Mr. Garabedian?

1 MS. DOUGHERTY: Objection.

2 BY MR. JUBB:

3 Q Mr. Poulos?

4 A No.

5 MR. JUBB: All right. Just give me a few  
6 minutes, let me look over my notes. We might be  
7 okay.

8 MS. DOUGHERTY: Mr. Jubb, before you do  
9 that, you reviewed Garabedian 240 to 303 with  
10 Mr. Poulos, and we had redacted them to remove the  
11 provider names, health provider names, with the  
12 expectation that we would come to an agreement that  
13 there would be a protective order so that we could  
14 provide the information unredacted. I just wanted  
15 to know if we could, the three of us, come to that  
16 agreement and I can send you the unredacted versions  
17 in case you wanted to ask questions of them  
18 unredacted.

19 MR. JUBB: I would like to see the  
20 unredacted versions, though it would have been nice  
21 to have them before we made it through four hours or  
22 five hours of the deposition.

23 MS. DOUGHERTY: Okay. Sir, I asserted the  
24 objections and produced a privilege log quite a long  
25 time ago and specifically identified.

1 MR. JUBB: If you want to send them over,  
2 yeah.

3 MS. DOUGHERTY: Well, I think -- but I  
4 think that I need your agreement and Mr. Poulos'  
5 agreement that there will be a protective order in  
6 place that the protected health information, which I  
7 think includes the identity of the medical  
8 providers, won't be distributed. That's why we  
9 redacted it. I mean, it's Mr. Poulos' medical  
10 providers names, so...

11 MR. JUBB: Sure. I mean, I deal with  
12 medical cases like this all the time. There's no  
13 reason for a confidentiality order other than to say  
14 I'm not -- there's no reason for it; but if you're  
15 comfortable in that context only with his  
16 information, yeah, I agree not to produce them to  
17 anyone.

18 MS. DOUGHERTY: Yeah. My issue is that  
19 Mr. Garabedian has them as his attorney. So I think  
20 they're Mr. Poulos' records and, you know, we  
21 redacted them to be extra cautious.

22 So, Mr. Poulos, do you understand you were  
23 shown some documents, Garabedian 240 to 303, that  
24 you signed that were medical --

25 THE WITNESS: Correct.

1 MS. DOUGHERTY: -- requests and there were  
2 redactions on them; and as you know, because we  
3 produced the records to you as well with the  
4 privilege log, the redactions are your social  
5 security number and the medical providers. And we  
6 redacted the information just as a precaution until  
7 the plaintiff agreed to protect the information,  
8 meaning not distribute it to -- you know, outside of  
9 the litigation or publicly because it identified  
10 your health providers. And so Mr. Jubb is agreeing  
11 that, you know, he will protect the information and  
12 not share it publicly. So with your agreement, I'd  
13 like to email those records to Mr. Jubb without the  
14 redactions in case he has further questions to  
15 avoid, you know, later a new deposition about just  
16 those records. That's why I bring up the issue.

17 THE WITNESS: Yeah, that's fine.

18 MS. DOUGHERTY: Okay. And, Mr. Jubb, what  
19 I have at the moment easily accessible to send to  
20 you is a version that shows where the redaction was.  
21 So there's like a red box, the marking. I can give  
22 you just a clean version, but it also might point  
23 you to where it was redacted.

24 MR. JUBB: Okay. Do you want to just go  
25 off the record for two minutes?

1 VIDEOPHOTOGRAPHER: We can do that if you're  
2 ready. We are now going off record. The time is  
3 4:14.

4 (Recess taken from 4:14 to 4:25 p.m.)

5 VIDEOPHOTOGRAPHER: We are now back on the  
6 record. The time on the screen is 4:25. You may  
7 continue.

8 MR. JUBB: Thank you.

9 Q Mr. Poulos, I have just received an unredacted  
10 version of those HITECH letters and authorizations  
11 for your medical records. Milford Hospital, where is  
12 that?

13 A Milford, Connecticut.

14 Q And when did you seek treatment there?

15 A Oh, we had a small cooking accident carving pumpkins  
16 and making pumpkin seeds. So that would have been  
17 October of 2016.

18 Q And with respect to Yale New Haven hospital, how many  
19 times were you there?

20 A I believe just the once.

21 Q What was that pertaining to?

22 A That was pertaining to the accident with my right arm  
23 where they made me stay for 72 hours or something.

24 Q Can you describe to me further what happened with  
25 your right arm, please.

1       A       Oh, yeah. I was cleaning -- I have a butcher block,  
2               and I went to pull a knife out and I cut my arm. And  
3               they said it was self-harm. And I said it wasn't.  
4               And they said, well, we have to keep you. So they  
5               kept me.

6       Q       Any other instance at Yale?

7       A       No. Unless that's where I went to see the  
8               orthopaedic specialist about the reconstructive  
9               surgery on my left arm. But I think that was in  
10              Hamden.

11      Q       What happened with your left arm?

12      A       So that was the night that we were carving pumpkins,  
13              and I did something stupid and put a knife in the  
14              sink; and instead of just turning off the disposal, I  
15              thought it would be a brilliant idea to try and grab  
16              it with my left hand. And, yeah, that didn't work.  
17              So I had to get I think five stitches. But they had  
18              to reconnect the tendons in these three fingers  
19              (indicating).

20      Q       Okay.

21      A       So they had to do major reconstructive surgery to my  
22              forearm.

23      Q       What was at Froedtert Hospital?

24      A       That would have been a visit for my pancreatitis.

25      Q       Approximately when was that?



1 A I believe that was in -- or, no, that wasn't for  
2 pancreatitis. That was St. Luke's. Froedtert was  
3 for exhaustion, and that was shortly after I moved  
4 back here from Connecticut in 2018.

5 Q So you moved from Connecticut to the Milwaukee area  
6 in around 2018, and you went to --

7 A March of 2018.

8 Q March of 2018. And you said it was for exhaustion?

9 A Yeah. So shortly after I moved back, my mom was in  
10 and out of the hospital; I was still, you know,  
11 trying to get the apartment set up, trying to take  
12 care of her, and then she ended up back in the  
13 hospital. So I was constantly, you know, 10-,  
14 12-hour days at work, plus driving out to Ozaukee  
15 County, which is about a half an hour north of where  
16 I worked at the time, to go visit her, make sure  
17 she's okay. And then obviously, like, it's my mom,  
18 so I stay up and worry. So I got treated for  
19 dehydration and exhaustion.

20 Q I see one in here from Pottstown Hospital. Pottstown  
21 is where The Hill School is. Did --

22 A Yes.

23 Q -- you ever go to Pottstown Hospital?

24 A Oh, I broke my arm freshman year skiing.

25 Q And we had discussed that a little bit. How did you

1 break your arm freshman year skiing?

2 A I fell and I cracked the bone in my left wrist.

3 Q Was that --

4 A It was not a major break, but that's why I couldn't  
5 ski for the season. But the problem was Pottstown  
6 Hospital doesn't really have a working ER, at least  
7 they didn't on a Saturday.

8 Q And Columbia St. Mary's Hospital in Mequon,  
9 Wisconsin, what was that about?

10 A That was when I was there when I was in my coma, when  
11 I was there for, like, 10 days or 12 days in Mequon.  
12 I don't really remember how long I was there. They  
13 had sedated me.

14 Q And that was in what time frame?

15 A 2015 I believe. I'm kind of fuzzy. I think it was  
16 sometime in the middle of June of 2015.

17 Q When you contacted a lawyer in Pennsylvania in the  
18 2014 time frame, at that point -- and correct me if  
19 I'm wrong, your mom had selected that lawyer?

20 A Correct.

21 Q Did you come to Philadelphia or was this a  
22 conversation by phone?

23 A Conversation by phone. I haven't been to  
24 Pennsylvania since I was 20, maybe 21.

25 Q In 2014 when you contacted this lawyer in

1 Philadelphia, Pennsylvania, what was the purpose of  
2 that?

3 A More of a fact-finding mission.

4 Q And did -- strike that. What type of fact-finding  
5 mission? Like, can you be a little bit more  
6 specific?

7 A Well, I knew that -- the statute of limitations for  
8 any sort of criminal case. I just wanted to see what  
9 if any -- and this was more, just like I said, a  
10 fact-finding mission of what if any -- if I decided  
11 to later on in life, what sort of steps I could take.  
12 Again, my mother had never practiced that kind of  
13 law. So he was kind enough to give me a half an hour  
14 of his time to just go over some of my options.

15 Q Do you recall his name?

16 A No, I do not. And I never gave him specifics. I  
17 didn't give him specifics about the school or the  
18 teacher.

19 Q You just told him generally when it occurred?

20 A Correct.

21 Q Was there ever a referral to some other lawyer to put  
22 you in contact with?

23 A I mean, my mother has received referrals to represent  
24 me in this case; but I don't and she doesn't have 20  
25 to \$25,000 to pay for a retainer.

1 Q Was Mr. Garabedian charging you for his time?

2 A Not to my knowledge.

3 Q What was the fee arrangement that you had with  
4 Mr. Garabedian?

5 A A percentage of if any settlement was reached.

6 Q Do you recall what that percentage was?

7 A I do not.

8 Q With respect to the 2014 situation when you contacted  
9 that lawyer, how did you know that the criminal  
10 statute of limitations had already expired?

11 A Because --

12 MS. DOUGHERTY: Objection.

13 BY MR. JUBB:

14 Q You can answer. She's objecting to the form.

15 A Excuse me?

16 Q She's objecting to the form. You can answer.

17 A Okay. I mean, I don't know if I had been told it by  
18 my mother or if I just knew it from watching stupid  
19 crime shows. But I was, you know -- it was made -- I  
20 was aware of it at the time. It was more of, like I  
21 said, a fact-finding mission to find out if any steps  
22 were available in the future if I show -- so wanted  
23 to pursue them. And, like I said, I had decided I  
24 was not going to. I was going to move on with my  
25 life.

1 Q So when you say fact-finding process, you mean you  
2 wanted to see what your options were potentially in  
3 the future other than criminal; is that right?

4 A Correct.

5 MR. JUBB: Ms. Dougherty, I just got two  
6 other emails from you.

7 MS. DOUGHERTY: Yeah. When you were  
8 continuing your questioning, I just scrolled through  
9 our privilege log to see if there were any other  
10 redacted documents that were redacted --

11 MR. JUBB: Okay. Am I correct these are  
12 records --

13 (Interruption by the reporter.)

14 MR. JUBB: I said am I correct that these  
15 are just additional school records where his social  
16 security number was redacted?

17 MS. DOUGHERTY: And -- hold on one second.  
18 I'm just looking at the -- and my answer is no. If  
19 you -- just going by our privilege log, if you  
20 scroll to Garabedian 346, there was a redaction  
21 because of health provider information. I think the  
22 next couple pages, 346 to 348 and then 386 --

23 MS. JUBB: Okay. Just give me the Bates  
24 numbers, please.

25 MS. DOUGHERTY: Yeah, so I just --

1 MR. JUBB: I just want the Bates numbers.

2 (Interruption by the reporter.)

3 MR. JUBB: We can do this off the record.

4 MS. DOUGHERTY: I can just tell you what I  
5 sent you and the reason why I sent it. I just  
6 looked through our privilege log to make sure that  
7 there weren't other instances where we had redacted  
8 a health provider name. I realize it's obvious when  
9 there is a social security number redacted, you  
10 know. So, and I see that there are other instances  
11 between 304 later that had some redactions for  
12 health provider names. So I can tell you those  
13 Bates labels. I didn't -- I can't tell you that I  
14 just confirmed right now that they're the same ones  
15 you already looked at. I just didn't want you to  
16 get them later unredacted and have wished you had  
17 them to ask.

18 MR. JUBB: I just --

19 MS. DOUGHERTY: I can tell you the Bates  
20 labels if you want.

21 MR. JUBB: No, I have them. They appear  
22 to be just documents identifying the same records  
23 that -- the same health providers I just asked  
24 about.

25 Q Mr. Poulos, we're still on the record. Are you

1           texting with somebody?

2       A     No. I was checking those emails. This phone doesn't  
3           actually call anybody. It's just to control my  
4           house.

5       Q     Okay. So getting back, as of 2014, you were familiar  
6           with the court systems, correct?

7       A     With what?

8       Q     The court systems.

9       A     To an extent, yeah.

10      Q     Approximately how many days do you believe that you  
11           ever spent in jail?

12      A     I don't know. 21.

13      Q     When you had your -- I think you said one night  
14           overnight around the 2016 time frame, were they  
15           spread out over the course of different incidents or  
16           is that all related to one incident?

17      A     It all started with one incident, with the disorderly  
18           conduct.

19      Q     Okay. So here are a couple of questions I want you  
20           to think about. Again, my position is that you have  
21           waived your attorney-client privilege. So I'm going  
22           to ask these questions, you do what you like to do in  
23           your own judgment. What did you tell Mr. Garabedian  
24           about Mr. Ralston?

25      A     I'm not going to answer that.

Kurtis N. Fouros

1 Q Did Mr. Garabedian give you any indication about the  
2 potential merits or lack thereof of such a claim or  
3 potential likelihood of success?

4 A I'm not going to answer that.

5 Q Do you have --

6 MS. DOUGHERTY: Mr. Jubb, could I just ask  
7 you a question? Are you willing to ask that  
8 question limited with a yes or no? Because if the  
9 answer is no, then you probably don't care, because  
10 you asked it as an or. You said whether there's a  
11 likelihood of success or not success. Right? I  
12 think whether it occurred or not, the way you asked  
13 the question, is probably not a protected  
14 communication.

15 MR. JUBB: No, I think --

16 MS. DOUGHERTY: No? Okay. All right. I  
17 was trying to make a suggestion to get through it.

18 BY MR. JUBB:

19 Q Did you have any understanding of what the statute of  
20 limitations was for what you had described to  
21 Mr. Garabedian?

22 A Did I have any idea?

23 Q Yeah.

24 A Yes.

25 Q Did he?



1 A I can't speak on his behalf.

2 Q Did you ever discuss that with him?

3 A I'm not going to answer that.

4 Q Walk me through -- no, I think that's good for  
5 purposes of the record, and then we can address those  
6 later and the questions that fall from those specific  
7 questions. That's all I have for you right now. I  
8 may have some follow-up after Ms. Dougherty asks her  
9 questions.

10 EXAMINATION

11 BY MS. DOUGHERTY:

12 Q Okay. My question is yes or no. Did you ever have a  
13 discussion with Mr. Garabedian regarding the statute  
14 of limitations about a claim against The Hill School,  
15 yes or no?

16 A Yes. Yes.

17 Q Again, yes or no. Yes or no, do you recall the  
18 content of the communication that you had with  
19 Mr. Garabedian regarding the statute of limitations  
20 for any claim against The Hill School?

21 MR. JUBB: Object.

22 A No.

23 MS. DOUGHERTY: I'm sorry, was there an  
24 objection?

25 MR. JUBB: Yeah, I'm just objecting to the

1 form of these.

2 BY MS. DOUGHERTY:

3 Q When did you retain Mr. Garabedian?

4 A I believe it would have been towards the end of 2017.

5 Q Why did you retain Mr. Garabedian?

6 A After reading reviews about his success in these sort  
7 of litigations, I felt that he would be somebody who  
8 would be able to help me.

9 Q What do you mean by success in these types of  
10 litigations?

11 A His litigation in Boston against the Catholic church  
12 for one.

13 Q Do you have an understanding about the nature of  
14 Mr. Garabedian's law practice?

15 A To an extent.

16 Q What's your understanding of the nature of  
17 Mr. Garabedian's law practice?

18 A That he stands up for people who have been through  
19 situations like I have to try and help them come  
20 to --

21 Q When you say...

22 A Go ahead.

23 Q No, please. I wasn't trying to interrupt you.

24 A I'm just saying it seemed like he was somebody who  
25 helped people who had gone through similar situations

1 in their past to move on with their life.

2 Q By similar situations, you mean the sexual abuse  
3 that --

4 A The sexual abuse, correct.

5 Q The sexual -- and just to be clear, the sexual abuse  
6 that you are referring to as sexual abuse by Matthew  
7 Ralston, right?

8 A Correct.

9 MR. JUBB: Object.

10 (Interruption by the reporter.)

11 BY MS. DOUGHERTY:

12 Q So did you do research into Mr. Garabedian's  
13 background before you retained Mr. Garabedian?

14 A Only on the advice of my mother.

15 Q Did you first learn about Mr. Garabedian from your  
16 mother?

17 A Correct.

18 Q So your mother mentioned Mr. Garabedian to you?

19 A Correct.

20 Q Did your mother tell you anything else about  
21 Mr. Garabedian when she first identified him to you?

22 A Not really. Just that she thought given his  
23 background, that I should read about him and see if I  
24 thought he could help me.

25 Q By background, you mean Mr. Garabedian's background

1 in representing sexual abuse survivors, correct?

2 A Correct. Correct.

3 Q And then when you heard Mr. Garabedian -- let me  
4 start again. The first time you ever heard

5 Mr. Garabedian's name was when your mother identified  
6 Mr. Garabedian to you; is that correct?

7 A Correct.

8 Q And then what did you do? Did you do a Google  
9 search? What kind of research did you do?

10 A Yeah. I did a Google search, read on some of his  
11 cases, told my mom that I thought this would work,  
12 called to arrange a phone interview with him, knowing  
13 it would be up to him if he wanted to take me on as a  
14 client.

15 Q Is there a specific reason why -- let me start again.  
16 I think you said at the end of 2017 is when you  
17 retained Mr. Garabedian; is that right?

18 A Correct. After I received the second letter from The  
19 Hill School.

20 Q By the second letter from The Hill School, you're  
21 referring to the November 20th, 2017, letter that I  
22 think you said you received through email that you  
23 had looked at earlier today with Mr. Jubb, P16.237 to  
24 239, that had that blue text identifying the child --  
25 quote, child protection experts. Is that the letter

1           you're talking about?

2       A     Correct. I received the email with the hyperlinks  
3           and made some phone calls; and then over the course  
4           of the next couple of weeks, I would guess, got in  
5           contact with Mitchell. Or, sorry, Mr. Garabedian.

6       Q     I'm trying here to show you a letter, but I have the  
7           wrong thing open. Okay. I'm not so good with  
8           sharing screens. So can everybody else see a PDF  
9           called Historical Allegations of Sexual Abuse at The  
10          Hill School at the top -- or at The Hill at the top?

11      A     I can.

12                       MR. JUBB: Sure.

13      BY MS. DOUGHERTY:

14      Q     Okay. So let me just identify the document. It's  
15          four pages long. I've shared my screen with you. On  
16          the bottom right, the first page indicates Garabedian  
17          029, I'm just going to scroll to the last page just  
18          to identify the document. The last page on the  
19          bottom right indicates Garabedian 032. So I'll  
20          scroll through the document a little bit by -- you  
21          know what, I'm just going to mark the document as --  
22          I'll just do D-1. So D-1 is going to be Garabedian  
23          029 through Garabedian 032. I'm just going to scroll  
24          through it slower, Mr. Poulos, so you can review it  
25          and then I want you to identify it for me. So tell

Kurtis N. Poulos

1 me if I'm scrolling too quickly.

2 A There's the part -- go back up. I could see it  
3 highlighted in black. There.

4 Q Okay. So this document which I've marked as D-1,  
5 Garabedian 029 through Garabedian 032, it looks like  
6 at the very top has an email from Mary Ellen Poulos,  
7 that's your mother, right?

8 A Correct.

9 Q Dated December 13, 2017, 12:02 p.m., to Mitchell  
10 Garabedian. Do you see that? It says thank you,  
11 Mary Ellen Poulos. Yes?

12 A Correct.

13 Q Okay. Then there's an email below that from  
14 Kurtis -- how do you say that?

15 A Poulos.

16 Q No, F-R-O-E-D-T-E-R-T. How do you pronounce --

17 A Froedtert.

18 Q -- it? Froedtert. Okay.

19 A Froedtert.

20 Q So Kurtis Froedtert dated November 20, 2017, to Mary  
21 Ellen Poulos, subject line forward Historical  
22 Allegations of Sexual Abuse At The Hill. And then  
23 below that, there's a forward email from Headmaster  
24 Zachary G. Lehman, P1618, date November 20th, 2017,  
25 to Kurtis N. Poulos, subject Historical Allegations

0696a

1 of Sexual Abuse At The Hill.

2 So this third email on the first page of  
3 D-1, is this the email that you're talking about that  
4 you got from The Hill School that prompted you to  
5 react?

6 A Correct. And not to go into too many fine details,  
7 the reason the email was then forwarded from my  
8 mother to Mitchell was because I no longer had a copy  
9 of it that I could locate in my email account.  
10 That's why I print everything now.

11 Q Okay. So it looks like you got the email at your  
12 LEX101078 at gmail dot-com account on November 20th,  
13 2017, at 1:41 p.m., from Headmaster Zachary Lehman.  
14 Did you read the email close in time to when you  
15 received it?

16 A I went outside of my place of work, had a cigarette,  
17 read the entire email, called my mother, and then I  
18 forwarded her the email.

19 Q Okay. And the email forward from you to your mother,  
20 it says -- it has the same date, November 20th, 2017,  
21 but it says 1:08 p.m. Are you and your mother in a  
22 different time zone?

23 A I was in Connecticut, she was in Wisconsin.

24 Q Okay. And then later on --

25 A So it would have been 2:08 for me. So it was roughly

1           27 minutes after I first received the email, I called  
2           her, she read it, she called me back, I forwarded her  
3           the email.

4       Q     Okay. And when you -- what did you discuss with your  
5           mother when you spoke to her on the phone on  
6           November 20th, 2017, about the email that has now  
7           been marked as D-1?

8       A     I commented about the fact that they mentioned that  
9           they had hired people to help the students, and asked  
10          for her advice if she thought I should contact them.

11      Q     Is there anything else that you discussed with your  
12          mother when you called her on November 20th, 2017, in  
13          reaction to the email that is -- I guess a series of  
14          emails that's now been marked as D-1?

15      A     No. Just strictly that I had received the email and  
16          I wanted to see what she thought I should do. So I  
17          forwarded it to her, and she called me back and said  
18          do not contact them. But forward -- you know, but...

19      Q     Why did you -- I'm sorry. Go ahead.

20      A     No. Go ahead.

21      Q     I apologize. I'm not trying to interrupt you. It's  
22          difficult sometimes, as Mr. Jubb expressed, to figure  
23          out when you're done talking over Zoom. So please  
24          just keep talking or tell me to stop talking if  
25          you're not done. Why did you think -- or let me --



1 strike that. Let me start again.

2 What about the November 20th, 2017, email  
3 made you think you should contact Ms. Gomez or  
4 Ms. Smith?

5 A Because I thought the school was going to take a  
6 modicum of responsibility, having known about these  
7 situations for so long, that those were people that  
8 were actually looking to help previous students.

9 Q Did you -- did your mother -- I think you said you  
10 asked your mother her opinion on what you should do  
11 in response to the November 20th, 2017 email; is that  
12 right?

13 A Correct. And she said let me find out who those  
14 people really are.

15 Q And then did your mother call you back or email you  
16 when she learned who these people really were?

17 A I believe she called me right back.

18 Q So you had two telephone discussions with your mother  
19 on November 20th, 2017, about the email from the  
20 headmaster on November 20th, 2017?

21 A Correct. The first one was to tell her about the  
22 email when she instructed me to forward her the  
23 email. The second phone call was then her calling me  
24 back saying not to contact them or the school.

25 Q So if you can, I've scrolled a page to the second --

1 I've scrolled D-1 to the second page to the paragraph  
2 that says through the review. Right? So the letter  
3 indicates, "Through the review, we learned of several  
4 troubling incidents in The Hill School's history.  
5 Those incidents involved conduct several decades ago  
6 by a small number of faculty members, none of whom  
7 have been associated with The Hill for many years and  
8 one of whom is deceased."

9 Do you have any information about any of  
10 the incidents referenced in the email reflected in  
11 D-1?

12 A Do I have any hard evidence? No. But do I know what  
13 they're referring to? Yes.

14 Q Okay. What is your understanding of what Mr. Lehman  
15 was referring to when he wrote about several  
16 troubling incidents several decades ago?

17 A Without naming names, that students were sleeping  
18 with female faculty members, that the faculty member  
19 who is deceased had also abused some of the male  
20 students. And basically I guess you could include  
21 the fact that we knew which faculty members were  
22 cheating on their spouses with which-other -- with  
23 the other faculty members or -- and/or student.

24 Q So the situations that you're describing that you  
25 have in mind right now, are those instances that

1 occurred during the time period that you were at The  
2 Hill School?

3 A Yes. Those are -- I'm not talking about anything  
4 specific other than the time that I was at that  
5 school, knowing the improprieties of those teachers,  
6 the one who is deceased, the faculty members sleeping  
7 with other students, and the faculty members cheating  
8 on their spouses with other faculty members. I  
9 never -- that's part of the reason I just never  
10 gossiped about sh -- excuse me, stuff like that. It  
11 didn't affect my life with -- in regards to what  
12 those other people were doing.

13 Q Did you know or have an understanding about the  
14 purpose of the letter that Mr. Lehman sent on  
15 November 20th, 2017?

16 MR. JUBB: Note my objection.

17 A To be blunt, it was the school trying to cover  
18 themselves from getting another lawsuit like they had  
19 gotten years prior when a faculty member impregnated  
20 one of the new female students.

21 BY MS. DOUGHERTY:

22 Q Is there a particular reason that you decided that  
23 you should contact a lawyer when you received the  
24 November 20th, 2017, letter via email?

25 A Yeah. Because I believed after speaking to my mom,

1 the school was being deceitful. (Interruption -  
2 witness talking to dog.) I'm sorry.

3 Q It's okay.

4 A Yeah. Because, to be honest, that letter comes off  
5 as we're going to help you get through, you know,  
6 what you went through. And it turned out to be more  
7 of a we're going to try and do our best to cover this  
8 up so that we don't end up like one of the other, you  
9 know, boarding schools that is named in some of these  
10 lawsuits.

11 Q Did you consider the November 20th, 2017, letter that  
12 you received via email that's now been marked as part  
13 of D-1 an invitation to report the abuse that you  
14 experienced during your time at The Hill School?

15 MR. JUBB: Objection to the form.

16 A 100 percent.

17 BY MS. DOUGHERTY:

18 Q Is there anything -- I can put the letter back up if  
19 you would like. In fact, why don't I just do that.

20 A No, I don't -- I pretty much know what it says.

21 Q Okay. My question is, is there any particular  
22 component of the November 20th, 2017, letter that you  
23 received via email that's now been marked as part of  
24 D-1 that led you to believe the school was inviting  
25 you to report your experience of sexual abuse with

1 Mr. Ralston during your time at The Hill School?

2 MR. JUBB: Ms. Bayer, are you getting my  
3 objection?

4 A Not specifically by name, but --

5 THE REPORTER: I didn't -- I was just  
6 going to stop -- excuse me, I was just going to stop  
7 and say did you object.

8 MR. JUBB: Yeah. That's why I said I want  
9 to make sure you hear my objections. So please note  
10 my objection on that one. And then, Mr. Poulos, go  
11 ahead.

12 A No, that's fine.

13 BY MS. DOUGHERTY:

14 Q Do you remember the question or do you need me to ask  
15 it again?

16 A If you could ask it again, I would prefer.

17 Q Sure. I just want to know if there's a particular  
18 part or parts of the November 20th, 2017, letter that  
19 you received via email which has now been marked as  
20 part of D-1 that led you to believe the school was  
21 soliciting you to report your experience of sexual  
22 abuse with Mr. Ralston -- or by Mr. Ralston?

23 MR. JUBB: I'll object.

24 A Again, I don't believe they were asking for specific  
25 names through the email. I think they were more

1 asking for you to come forward and let them know what  
2 had happened. Whether or not they were going to ask  
3 for specific names, I don't know. I mean, I would  
4 assume eventually we would get there. But, again, I  
5 looked at it as more of a protective, you know, type  
6 of maybe we can get you some counseling, maybe we can  
7 help you get through this so you can live a normal,  
8 productive life. Not we're going to probably take  
9 this and shove it in a drawer somewhere and make you  
10 sign an NDA or something.

11 BY MS. DOUGHERTY:

12 Q Why did you decide that you were going to come  
13 forward in 2017?

14 MR. JUBB: Note my objection.

15 A I guess because I thought I was in a strong enough  
16 position with a good job, what I thought was a  
17 healthy relationship, and have somebody by my side  
18 who would help me through it, not agitate the  
19 situation.

20 BY MS. DOUGHERTY:

21 Q What did you hope to achieve by retaining  
22 Mr. Garabedian?

23 MR. JUBB: Note my objection.

24 A That the truth comes out. That the truth comes out  
25 and this sort of stuff, these sick behaviors stop. I

1 know these are all small, tight-knit communities and  
2 a lot of it has to do with keeping secrets for fear  
3 of letting down your family, you know, getting in  
4 trouble with the school, being ostracized at the  
5 school. And, you know, it should be just strictly a  
6 place of higher learning.

7 BY MS. DOUGHERTY:

8 Q Did you have an objective of receiving money from The  
9 Hill School by retaining Mr. Garabedian?

10 A No --

11 MR. JUBB: Note my objection. You can  
12 answer.

13 A And, as I stated, all I ever really wanted was my  
14 tuition back. That's it.

15 BY MS. DOUGHERTY:

16 Q Okay. So you -- I'm sorry.

17 A Yeah. But I did, you know, I did want my tuition  
18 back. I didn't want, you know, a crazy amount of  
19 money. You know, the fact of the matter is if I got  
20 a crazy amount of money, I would probably donate it  
21 either to my family's hospital or, you know -- I  
22 don't know. But I would try and make sure I could  
23 provide services that were legitimate so that people  
24 do not go through stuff like this in the future. So  
25 at the end of the day, yes, I wanted my tuition back.

1 Q Okay. Just so I understand, you wanted The Hill  
2 School to pay you money in the amount of the tuition  
3 that you had paid for the three years you attended  
4 The Hill School; is that right?

5 MR. JUBB: Note my objection.

6 A For tuition, the cost of, you know, flying back and  
7 forth, and anything I would have -- you know, like  
8 the books were college price stupid high. You know,  
9 you get an algebra textbook and it's \$300 in high  
10 school; when if you go to a public school, they just  
11 give you stuff. And we were made to buy certain  
12 things. We had to have certain clothes every year.  
13 And, you know, it gets to be expensive. Now, granted  
14 I had my trust fund where I could go to them at the  
15 beginning of the year and go I need \$2,000 because I  
16 grew four inches and I need basically all new clothes  
17 to go to school. You know, I need plane tickets so  
18 that I can fly to and from Philadelphia. I need  
19 transportation money. I need money to live for,  
20 like, incidentals. Like if something gets ruined  
21 when I'm at school, I'm going to have to, you know,  
22 replace a blazer or a tie or a dress shirt. I mean,  
23 it wasn't cheap to just -- even attend class was  
24 expensive. And, like I said, maybe besides a few  
25 odds and ends, that all came out of my inheritance,



1 no one else's pocket.

2 Q Okay. I just want to make sure I have a complete  
3 list. So you wanted The Hill School to pay back the  
4 money that you spent for tuition, the cost to travel  
5 back and forth to school, the cost of books?

6 A Sporting equipment that we had to provide for  
7 ourselves. So if you wanted to go skiing, say, they  
8 weren't going to supply you with skis, you had to go  
9 out and buy your own skis. If you wanted to play  
10 golf, you had to go out and buy your own golf clubs.  
11 I mean, all of that stuff adds up over the years.

12 Q Okay. So tuition, travel, cost of books, sporting  
13 equipment. Anything else that you wanted The Hill  
14 School to pay to you?

15 MR. JUBB: Note my objection.

16 A Not really. I mean -- no.

17 BY MS. DOUGHERTY:

18 Q And at the time that you retained Mr. Garabedian, you  
19 had it in mind that you intended to request that The  
20 Hill School pay you the cost of the tuition you paid  
21 to Hill School, the travel expense, the cost of books  
22 and sporting equipment; is that correct?

23 A Correct.

24 Q Did you -- now, my first question is I want to limit  
25 it to a period of time. At the time when you

1           retained Mr. Garabedian, did you have in your mind an  
2           amount of, you know, the total amount of the tuition,  
3           travel, cost of books and the sporting equipment?

4       A     Roughly \$120,000. I mean, to be honest, I never saw  
5           my exact bills for tuition. I had a general idea  
6           about how expensive it was. But they just sent the  
7           paper to the bank and the bank just sent them a  
8           check. If I needed something, I'd just sign a piece  
9           of paper at the -- you know, at the sporting goods  
10          store that we had on campus, and they would just send  
11          a bill to my trust and the trust would send them a  
12          check. So there is plenty of numbers that I could be  
13          way over, I could be way under. I honestly don't  
14          know. That would be something where you'd have to  
15          contact the people that used to run my trust account  
16          because they would have to have I would assume  
17          records of that.

18       Q     Is it a fair characterization that when you contacted  
19           Mr. Garabedian, you had in your mind that you wanted  
20           to recover around \$120,000 from The Hill School, but  
21           you intended to actually do research to determine the  
22           actual amount of tuition, the actual amount of  
23           travel, the cost of books, and the sporting  
24           equipment?

25       A     Yes.

1 MR. JUBB: Note my objection.

2 BY MS. DOUGHERTY:

3 Q And so I think what you're explaining is that the  
4 \$120,000 number you had in mind could be too high or  
5 could be too low, that what you wanted was  
6 essentially reimbursement from The Hill School for  
7 the tuition, travel expenses, cost of books and the  
8 sporting equipment; is that right?

9 A Correct.

10 Q Did you want The Hill School to provide any mental  
11 health services to you?

12 A Yes.

13 Q Do you have -- at the time when you retained  
14 Mr. Garabedian, did you have as an objective to  
15 obtain relief from The Hill School in the form of  
16 mental health treatment?

17 A Yes, that I could go and see a qualified therapist  
18 and maybe for -- you know, not saying that I was  
19 going to be like I'm going to go see him for 20  
20 years, you can foot the bill; but that they would be  
21 willing to pay for, you know, six months to a year of  
22 sustained therapy where I could work through the  
23 issues in a constructive way rather than drown them  
24 out with liquor or drugs.

25 Q Okay. So your intention in -- at least in part in

1 retaining Mr. Garabedian, in addition to receiving  
2 the reimbursement payment we've discussed, was also  
3 to have The Hill School pay for medical psychological  
4 treatment to treat the effects of the abuse you  
5 sustained; is that right?

6 MR. JUBB: Note my objection.

7 A Yes. The depression, the way -- you know, I could  
8 work through some of the issues and understand the  
9 way -- the reasons maybe behind why I acted the way I  
10 did for so many years where I chose to make every  
11 healthy relationship into an unhealthy relationship;  
12 and work through those issues in a positive way like  
13 I'm doing now. The only difference is now I'm doing  
14 it on my own with my dog.

15 BY MS. DOUGHERTY:

16 Q Now, again, I'm just limiting my question to at the  
17 time when you retained Mr. Garabedian. At the time  
18 when you retained Mr. Garabedian, did you have in  
19 mind how much the therapy that you wanted The Hill  
20 School to pay for, how much that would cost?

21 A No.

22 MR. JUBB: I'm going to object. I think  
23 you need to be more specific. What do you mean when  
24 you say at the time you retained?

25 MS. DOUGHERTY: I think he said that it

1 was the December of 2017 -- well, let me ask.

2 Q Mr. Poulos --

3 MR. JUBB: No, no, we've got to be more  
4 specific.

5 MS. DOUGHERTY: I think he did say it --  
6 what?

7 MR. JUBB: Objection. So I need you to  
8 say at the time you retained, I mean before he  
9 walked in the door, or at the time he retained which  
10 is much vaguer. So I think you need to pin that  
11 down.

12 MS. DOUGHERTY: I'm sorry, he already  
13 confirmed in his testimony that he never walked in  
14 the door. And I think he already testified that he  
15 retains Mr. Garabedian at the end of 2017.

16 Q Isn't that right, Mr. Poulos?

17 A I did.

18 MR. JUBB: Excuse me, when I said walked  
19 through the door, I'm being facetious. I know he  
20 never went there.

21 MS. DOUGHERTY: Mr. Poulos --

22 (Interruption by the reporter.)

23 MR. JUBB: I need to make this clear.  
24 Counsel keeps saying at the time you retained  
25 Garabedian.

1 MS. DOUGHERTY: Yeah.

2 MR. JUBB: And so my question is asking  
3 her to specify what she means by at the time. Are  
4 you saying the day you saw -- the day you talked to  
5 him? Or are you saying --

6 MS. DOUGHERTY: Thank you, Mr. Jubb.

7 Q Mr. Poulos, when did you retain Mr. Garabedian? I  
8 think I've asked this and you answered it, but we're  
9 going to just confirm it. When did you retain  
10 Mr. Garabedian?

11 A I believe I retained him in December of 2017.

12 Q Okay. And I've asked you a number of questions that  
13 I specifically asked you to limit your answer to the  
14 time period of when you retained Mr. Garabedian. At  
15 the time that you retained Mr. Garabedian. And you  
16 understood my question to be asking you that in  
17 December 2017 when you retained Mr. Garabedian; is  
18 that correct?

19 A Correct. I understood it.

20 MR. JUBB: Note my objection. If you  
21 can't figure out how to make that more specific,  
22 it's clearly intended to -- it's an unfair question.

23 MS. DOUGHERTY: Mr. Jubb, it's really not  
24 and you're just --

25 MR. JUBB: No, it is.

1 MS. DOUGHERTY: -- being silly.

2 MR. JUBB: It is --

3 MS. DOUGHERTY: Thank you.

4 MR. JUBB: Why don't you -- you're trying  
5 to say before you spoke with Mr. Garabedian. Go  
6 ahead. That's how we're going to play this because  
7 you've already objected to this type of stuff.

8 MS. DOUGHERTY: What could your objection  
9 possibly be? What?

10 MR. JUBB: I just told you what my --

11 MS. DOUGHERTY: Tell me. Tell me right  
12 now.

13 MR. JUBB: I just need you to --  
14 (Interruption off the record.)

15 MS. DOUGHERTY: You don't need me to do  
16 anything. I want you to tell me what your -- what  
17 could possibly be the prejudice or the issue with my  
18 question?

19 MR. JUBB: At the time you retained is  
20 very broad. I'm asking you to specify for us, for  
21 the witness, so that I know whether or not it's a  
22 fair question. Are you referring to the time that  
23 he's in the office with -- excuse me, the time he's  
24 speaking with Mr. Garabedian on the phone or are you  
25 referring to beforehand? Because he said December

1 of 2017, right? So the whole month doesn't count as  
2 at the time.

3 MS. DOUGHERTY: All right. Let's just do  
4 it this way.

5 Q Mr. Poulos, have you ever had an intent other than to  
6 recover payment from The Hill School for your  
7 tuition, travel expenses, cost of books and sporting  
8 equipment?

9 A No, I have not.

10 Q Have you ever had an intent other than -- I'm going  
11 to start again. Was there ever a time when you  
12 didn't want The Hill School to pay for the cost of  
13 therapy or treatment for the mental health issues  
14 that you described?

15 A Say that again.

16 Q Was there ever a time, whether it's December -- was  
17 there ever a time that you did not want The Hill  
18 School to pay for therapy or treatment for your  
19 mental health issues that were a result of the sexual  
20 abuse by Mr. Ralston?

21 A No --

22 MR. JUBB: Objection.

23 A -- there was not. Hey, Google, turn on the dining  
24 room.

25 BY MS. DOUGHERTY:



1 Q Okay. So you wanted The Hill School to pay you money  
2 to reimburse tuition, travel, cost of books, sporting  
3 equipment; you wanted The Hill School to pay for the  
4 cost of medical mental health treatment; is that  
5 right?

6 A Correct.

7 Q And did you want anything else from The Hill School?

8 MR. JUBB: Note my objection.

9 A Not really.

10 BY MS. DOUGHERTY:

11 Q Now, what did you mean when you said if The Hill  
12 School paid a lot of money, you would donate it to  
13 the hospital? I think you said your family's  
14 hospital.

15 A Well, my family founded a hospital. We're pretty  
16 philanthropic in the State of Wisconsin. And I think  
17 if I could donate money to them, then they could  
18 start a program there with qualified people or I  
19 could donate money to a program that they already are  
20 working with. Froedtert has the main hospital and  
21 maybe 30 outlying properties that are owned by some  
22 member of my family, I'm not sure who exactly. I  
23 have nothing to do with it, but I'd like to be part  
24 of that legacy.

25 Q Did you think that The Hill School should pay money

1           other than to reimburse you for your tuition, travel,  
2           cost of books, sporting equipment, and to pay for  
3           your mental health treatment?

4                       MR. JUBB: Note my objection.

5       A     At the beginning, no.

6       BY MS. DOUGHERTY:

7       Q     What do you mean by "at the beginning"?

8       A     I think that they should legitimately hire people to  
9           help students that they -- that have come forward and  
10          actually find them counseling. Not hire attorneys  
11          that pretend to be child advocates. That is  
12          something that I've never discussed with Mitchell or  
13          you or anyone. But given the amount of money that  
14          that school has, I don't think that's a big ask that  
15          they make sure that the students there get better  
16          access than -- I believe they have one counselor for  
17          500 students. And granted that's more than most, you  
18          know, that's better than most public schools get.  
19          But they have so much money, it wouldn't be hard to  
20          put in facilities there to make sure that students  
21          who do go through similar situations don't feel  
22          intimidated to stand out -- or step forward and speak  
23          to somebody knowing that there will be checks in  
24          place to help them.

25                       They have no problem building an entire

1           little town for teachers and putting in ice skating  
2           rinks. But when it comes to the overall mental  
3           health of what they put their students through, it's  
4           barbaric. I mean, students hanging themselves?  
5           Jumping out of windows? And they do nothing to help  
6           them afterward.

7       Q     So was it your objection -- sorry, let me start  
8           again. Was it your objective to pursue some type of  
9           remedy for other students who had --

10      A     Yes.

11      Q     -- experienced sexual abuse like you had?

12      A     Yes --

13                       MR. JUBB: Note my objection.

14      A     Yes. Sorry for interrupting, but yes, 100 percent.

15      BY MS. DOUGHERTY:

16      Q     This objective of pursuing relief for other students  
17           who had sustained sexual abuse, was that an objective  
18           that you had on your own?

19      A     Yes.

20                       MR. JUBB: Note my objection.

21      BY MS. DOUGHERTY:

22      Q     Did you have the objective of pursuing relief for  
23           other students who had been victims of sexual abuse  
24           prior to ever meeting Mr. Garabedian?

25      A     No, I did not.

1 MR. JUBB: Note my objection.

2 A This is something, like I said, is something that has  
3 only come into my forethought recently, the more I'm  
4 trying to deal with this on my own, that there should  
5 be some sort of facility in place there to help the  
6 students, whether it be the same sexual abuse that I  
7 went through or whether it be the overwhelming  
8 pressure of just attending that school. Now,  
9 granted, I don't know what it's like now as far as  
10 academic community and what sort of pressures they  
11 put on their students. But I can tell you about  
12 students that tried to commit suicide when they were  
13 there, but they were too ashamed to tell anybody. So  
14 they just went on going on. Every grade you ever got  
15 was posted for the entire school to ridicule. I  
16 mean, it wasn't -- kids would come back over breaks  
17 and hang themselves in their dorms. I mean, that's  
18 not normal. We had a kid jump out of a window  
19 because he was so stressed out he took tabs of LSD.

20 BY MS. DOUGHERTY:

21 Q When you contacted the lawyer in 2014, did you  
22 identify Mr. Ralston to the lawyer?

23 A I did not. I didn't even identify the school.

24 Q Other than your mother and Mr. Garabedian, is there  
25 anyone else -- well, let me start again. Other than

1           your mother, Mr. Garabedian and I think your treating  
2           psychologist or psychiatrist, Mr. Grade, have you  
3           told anyone else about the abuse you sustained at the  
4           hands of Mr. Ralston?

5                       MR. JUBB: Note my objection.

6       A       I have told one other person about the abuse, but I  
7           never said the name.

8       BY MS. DOUGHERTY:

9       Q       And, I'm sorry, is that Emily, your ex-girlfriend?

10      A       Correct.

11      Q       So you told Emily that you were sexually abused when  
12           you were at The Hill School, but you did not identify  
13           Mr. Ralston as the perpetrator of the sexual abuse;  
14           is that right?

15      A       No, I did not.

16      Q       Have you identified Mr. Ralston's -- Mr. Ralston by  
17           name or the identity of The Hill School to Mr. -- or  
18           Dr. Grade, your treating psychiatrist?

19      A       Yes, I have.

20      Q       Have you told anyone else that you survived sexual  
21           abuse other than Emily, your mother, Dr. Grade and  
22           Mr. Garabedian?

23      A       No. I can add to that by saying I believe members of  
24           my family know, but not because of me, because of my  
25           mother. So I believe she had a conversation with my

1 aunt.

2 Q When was the first -- let me start again. It's true  
3 that Mr. Ralston -- let me start again.

4 Matthew B. Ralston sexually abused you  
5 when you were attending The Hill School; is that  
6 right?

7 A Correct.

8 MR. JUBB: Note my objection.

9 BY MS. DOUGHERTY:

10 Q When was the first time that Mr. Ralston sexually  
11 abused you?

12 A Not until my sophomore year.

13 Q How old were you the first time that Mr. Ralston  
14 sexually abused you?

15 MR. JUBB: Note my objection.

16 MS. DOUGHERTY: What's your objection?

17 MR. JUBB: To the nature of you saying  
18 abused as opposed to -- we're not -- we're no longer  
19 referring to him as an alleged victim. You're  
20 referring to him as a victim of sexual abuse by a  
21 person who's very adamantly denied it. That's -- if  
22 you just want to clarify it.

23 MS. DOUGHERTY: That's not a valid  
24 objection. He says he --

25 MR. JUBB: My objection is --

1 MS. DOUGHERTY: Mr. Poulos says he was  
2 abused by Mr. Ralston. I'm asking him to provide  
3 the details of that. There's no form issue with my  
4 question.

5 MR. JUBB: No, it's the form of your  
6 question. I'm just objecting to the form of --

7 MS. DOUGHERTY: No, it's really not.

8 MR. JUBB: Do you want to keep asking the  
9 question or do you want me to just tell you I'm  
10 objecting to the form of your question? I think  
11 it's poorly worded.

12 MS. DOUGHERTY: Whatever.

13 Q I'm sorry. So how old were you the first time when  
14 Mr. Ralston sexually abused you?

15 A 14 or 15.

16 Q Do you remember the first time Mr. Ralston sexually  
17 abused you?

18 MR. JUBB: Note my objection.

19 A Not specific dates. I remember the general feeling.  
20 Like I said, I've done my best to black out a good  
21 portion of my high school existence. Not always the  
22 healthiest way, but...

23 BY MS. DOUGHERTY:

24 Q I understand that this is difficult to discuss. But,  
25 unfortunately, this is where we find ourselves. So

1 can you please tell me what you do remember about the  
2 first time you were sexually abused by Mr. Ralston?

3 MR. JUBB: Note my objection.

4 A I believe it was in his classroom just making general  
5 gestures towards me, and that escalated into keeping  
6 me after class on certain days, and that escalated  
7 further. I mean --

8 BY MS. DOUGHERTY:

9 Q Okay. So -- I'm sorry. I'm not trying to cut you  
10 off.

11 A No, that's it.

12 Q So just focusing on the first time that Mr. Ralston  
13 sexually abused you, you said that was in his  
14 classroom. Is that the geometry classroom?

15 MR. JUBB: Note my objection.

16 A Correct.

17 BY MS. DOUGHERTY:

18 Q I think you described it earlier as a classroom at  
19 the end of a hallway with a prison-like window on the  
20 door?

21 A Yeah, a small window.

22 Q And what happened the first time that Mr. Ralston  
23 sexually abused you?

24 A It was by touch only.

25 Q Okay. So is it the case that you and Mr. Ralston



1           were alone in his classroom?

2       A     Correct.

3       Q     And how did Mr. Ralston touch you the first time that  
4           Mr. Ralston sexually abused you?

5       A     I was walking, from the best of my recollection, I  
6           was walking out the door, which was always shut. I  
7           mean, pretty much every classroom door was always  
8           shut. I remember leaving and him grabbing me from  
9           behind on my crotch and pulling me back into the  
10          room. And I kind of blacked out from there. I do  
11          remember him, you know, using -- grabbing my forearm  
12          to rub him.

13      Q     Okay. Why were you and Mr. Ralston alone in his  
14          classroom on the instance that you're talking about  
15          now?

16      A     I don't know. It might have been one of the days  
17          where I was the last one out because I was cleaning  
18          the board for him, because he had made me put up my  
19          entire quiz on the board. So when everybody else  
20          hears the bell, they run; and he goes, okay, clean  
21          up. And then I've got to pack all my crap up into my  
22          bag, you know, textbook, notebook, calculator,  
23          anything else that I had on my desk. While he's  
24          packing up -- he had, like, a little brown satchel  
25          that he always carried, if I remember correctly.

1 Q Was it your perception that Mr. Ralston had you  
2 perform your quizzes on the chalkboard and grade them  
3 at the time in an effort to delay your exit from the  
4 classroom?

5 A I believe it was that in conjunction with just  
6 overall intimidation, making sure that I knew who was  
7 in control of every situation when I was his student.

8 Q Okay. So the first time that you remember  
9 Mr. Ralston sexually abusing you, you were leaving  
10 the classroom and he put his hand on the -- on your  
11 penis on the outside of your clothes; is that right?

12 A Correct.

13 Q And then he pulled you back into the classroom away  
14 from the door?

15 A Correct. And then the doors, if I remember  
16 correctly, were pretty heavy metal doors at the time.  
17 And they were hinged to basically shut automatically.  
18 So it's not like the last student had to make sure  
19 and shut the door. We basically had fire doors all  
20 over the buildings because of how old they were.

21 Q Were you already at the door, like, did you have your  
22 hand on the doorknob?

23 A I already had the door partially open. That's what  
24 I'm saying, it wasn't like a flimsy door where you  
25 could just like flip your wrist and whip it open.

1           You literally had to pull the door open in order to  
2           even get out. So if something comes up from behind  
3           and pushes that door shut, it's going to shut before  
4           you have a chance to react and keep it open.

5       Q     Okay. And Mr. Ralston you said pulls you back from  
6           the door?

7       A     And sort of went like this, like pushed the door and  
8           grabbed me (indicating).

9       Q     Did you say anything?

10      A     Not really. It was just a look and then his hand and  
11           then -- and then he moved my hand. And I don't know  
12           why it stopped, but it stopped. Eventually over  
13           periods of time it progressed further and further.  
14           Maybe he just felt more comfortable knowing he had a  
15           specific time window where no one's going to be down  
16           that corridor. There's no other reason to go down  
17           that hallway.

18      Q     Okay. So the first -- again, just talking about the  
19           first time. Again, I know it's difficult, but this  
20           is where we are. So Mr. Ralston touched you and then  
21           used your hand to touch him; is that right?

22      A     Correct.

23      Q     Was there any other contact between you and  
24           Mr. Ralston, again, on the first instance?

25      A     Not to my recollection, no.

1 Q And you don't remember whether you said anything when  
2 Mr. Ralston first touched you?

3 A No. I just sort of went into shock.

4 Q Did Mr. Ralston say anything to you?

5 A Not that I recall, no.

6 Q Do you remember -- I'm sorry. And was there any  
7 other interaction between you and Mr. Ralston on that  
8 day besides Mr. Ralston touching you, pulling you  
9 back into the classroom, and then moving your hand to  
10 touch him?

11 A I mean, I would have had to have seen him that night  
12 at dinner.

13 Q Right. Just, again, just sticking with the first,  
14 you know, inappropriate contact that you remember,  
15 this first instance --

16 A After the contact was over, no, I left.

17 Q How did it end?

18 A It just abruptly stopped. That was -- that's one  
19 thing that sticks out is that nothing was really  
20 said. It was just a matter of -- it just sort of  
21 stopped. And I remember grabbing my stuff, opening  
22 the door and just blindly walking back up to my dorm  
23 room. And I probably had to get ready for something  
24 sports related around 4 or 4:15. And then, you know,  
25 it was more just a matter of shock for the rest of

1 the day.

2 Q Do you remember anything else about the contact with  
3 Mr. Ralston? Do you remember what you were wearing,  
4 what he was wearing, any other details of the room,  
5 anything like that?

6 A I can give you a general description. I would have  
7 been wearing a sport coat, dress slacks --

8 Q Hold on --

9 A -- a button-down, a tie.

10 Q Mr. Poulos, hold on one second. I only want you to  
11 answer what you actually remember. So you said would  
12 have. I realize sometimes people speak that I way.  
13 I want to make sure that you actually do remember the  
14 details you're providing to me.

15 A The specific clothing I was wearing that day? No, I  
16 do not recall.

17 Q What about what Mr. Ralston was wearing or any  
18 details of the room?

19 A Details of the room, yeah. I mean, like I said, I  
20 believe it's three rows or it was three rows by four  
21 seats, maybe five rows by four seats, but never  
22 really more than 12 to -- I'd say 12 to 15 chairs max  
23 in that room. He had a desk up in the front by the  
24 chalkboard. And we were just in equal rows equally  
25 spaced like your typical classroom. I don't remember

1           there being a window in the room other than the small  
2           window to the door. And I believe it had two-tone  
3           paint on the wall, like at about -- from me now about  
4           hip level was one color down and then one color up to  
5           the ceiling.

6       Q     Do you remember the assignment that you had been  
7           working on on the chalkboard on this first day?

8       A     Yeah. It would have been probably a weekly quiz.

9       Q     Do you in fact --

10      A     Which was typically ten...

11      Q     Go ahead.

12      A     We typically had a quiz, like a pop quiz, on what we  
13           had been learning; and it was typically ten  
14           questions. A lot of the professors there had the  
15           same sort of format where you'd just get a  
16           ten-question pop quiz.

17      Q     And was it the case that Mr. Ralston always had you  
18           take your pop quizzes on the chalkboard?

19      A     Only after a certain point of the year when --

20      Q     When --

21      A     -- he would give -- he started doing it at a specific  
22           time. I couldn't tell you when, how long into the  
23           school year it was. I can just tell you it was after  
24           I had objected to getting a failing grade on a quiz  
25           for not showing my work.

1 Q I think you said there were trimesters. Did you call  
2 the first one the fall trimester?

3 A Yeah. We had the fall trimester. Then --

4 Q A winter trimester and a spring trimester; is that  
5 right?

6 A Yeah.

7 Q So did the first instance of inappropriate contact  
8 between you and Mr. Ralston occur during the fall  
9 trimester of your sophomore year?

10 A Correct.

11 MR. JUBB: Note my objection.

12 A Correct.

13 BY MS. DOUGHERTY:

14 Q Do you remember how many weeks into the fall  
15 trimester the first inappropriate contact occurred?

16 A No.

17 Q Do you remember the season? Was it warm or was it  
18 getting colder?

19 A It was getting cooler.

20 Q Did you have a coat with you?

21 A No, because I was living in the same building I had  
22 that class in. So there was no reason to have an  
23 outdoor coat other than my blazer.

24 Q Was it dark outside?

25 A No. It would have been early afternoon, like 3:00.

1           So it wouldn't have been dark out, but I -- to my  
2           recollection, there wasn't even a window in that  
3           classroom anyway. So it could have been the middle  
4           of the night, it wouldn't have made a difference.  
5           There was no exterior light coming into that room.

6       Q     So your recollection is the first instance of  
7           inappropriate contact between you and Mr. Ralston  
8           occurred when you had geometry class as the last  
9           class of the day?

10      A     Correct.

11      Q     And what did you do after you left the classroom  
12           after the first instance?

13      A     What did he do?

14      Q     What did you do? I'm sorry.

15      A     I went straight up to my dorm room. Like I said, it  
16           was only probably 20 or 30 steps from the door of the  
17           geometry class to the door to the stairway, two  
18           flights of stairs and you're on the first floor.

19      Q     And how long did the contact between you and  
20           Mr. Ralston last the first time?

21      A     I couldn't say. I would be guessing. I couldn't  
22           say.

23      Q     A couple minutes? An hour?

24      A     It's one of those you put your hand on a hot stove,  
25           it feels like a minute type situations. I honestly



1 don't recall the length of time. It couldn't have  
2 been more than a few minutes because, like I said,  
3 right after classes, we only have a certain amount of  
4 time to go and get ready for whatever we're doing,  
5 whether it's sports or something else  
6 extracurricular. You have to be there by a certain  
7 time.

8 Q At the time when Mr. Ralston touched you the --  
9 during the first instance of inappropriate contact,  
10 did you believe that the touching was wrong and  
11 inappropriate?

12 A Yeah. That's why I froze, because I was in disbelief  
13 that it was happening.

14 Q Is there a reason why you didn't report Mr. Ralston's  
15 inappropriate contact with you to an adult or another  
16 teacher, another student?

17 A Yeah, because I was a legacy at that school. I had  
18 to keep in mind, you know, the fact that not only did  
19 two of my grandparents go to school there, that my  
20 cousin was also currently a student enrolled there  
21 and what that might do to him, how it might affect  
22 our family's legacy overall at a school that we've  
23 been established at going on now, you know, a little  
24 under 90 years. Okay. I gotta take my dog out.  
25 He's freaking out.

1 MS. DOUGHERTY: Okay. We have -- I mean,  
2 we can take a break for you to walk your dog; but  
3 let me find out how much longer we're going to go  
4 tonight because we're on instance one of I think 10  
5 to 15.

6 THE WITNESS: I'd rather call it for the  
7 night and set something up for another day then  
8 because, like, frankly, I haven't slept in three  
9 days, I'm exhausted. My dog is all riled up because  
10 I'm all riled up. I don't know how that works with  
11 your schedule. I've never gone through this before,  
12 so I don't know how exactly this works.

13 MS. DOUGHERTY: Okay. Well, you're the  
14 witness, so you're in charge as far as how long the  
15 questioning can go. Because we -- and I say it in  
16 the royal we, Mr. Jubb and I both, want you to have  
17 enough attention to, you know, understand our  
18 questions and answer them, not to be tired or, you  
19 know, answer erroneously because, you know, it's not  
20 a marathon basically. So, you know --

21 THE WITNESS: Okay. Then I'd rather call  
22 it for the night.

23 MS. DOUGHERTY: -- if that's your  
24 preference. That's okay with me. But I want to  
25 just talk about when you would next be available.

1 Are you only available on Thursdays or can we pick  
2 it up tomorrow or -- ?

3 THE WITNESS: Yeah. I'm not going into  
4 work tomorrow due to COVID. But if we could make it  
5 in the early afternoon, I would appreciate that.

6 MS. DOUGHERTY: Is that acceptable for  
7 you, Mr. Jubb?

8 MR. JUBB: When you say early afternoon,  
9 are you referring to, like, 1:00?

10 THE WITNESS: 1:00 your time, so you guys  
11 can have lunch beforehand.

12 MR. JUBB: That would make it 12:00 for  
13 you, right?

14 THE WITNESS: Correct.

15 MR. JUBB: Yeah, if that's what you'd  
16 prefer, we can pick it up then.

17 THE WITNESS: All right. I'll put it in  
18 my calendar. Do I just use the same link then to  
19 get in?

20 MS. DOUGHERTY: Well, let me ask because I  
21 think we should -- if we can, Mr. Jubb, you arranged  
22 for the videographer and court reporter. But I  
23 think we should stick with the same at least company  
24 and setup if we can.

25 MR. JUBB: Yeah, of course. Well, my

1 proposal --

2 THE REPORTER: Do we want this all on the  
3 record?

4 MR. JUBB: We probably don't need to.

5 MS. DOUGHERTY: Well, let me just -- let's  
6 just say on the record that we've discussed it and  
7 agreed that Mr. Poulos will return tomorrow at  
8 1 p.m. Eastern? No, that's not -- 1 p.m. --

9 THE WITNESS: No, that's right. 1 p.m.  
10 Eastern, 12:00 Central.

11 MS. DOUGHERTY: Okay. Thank you.

12 MR. JUBB: The specific technology  
13 requirements will be forwarded to Mr. Poulos earlier  
14 tomorrow, but otherwise we'll probably just stay the  
15 same. And I would only just say before we go off  
16 the record that he'll remain under oath for  
17 tomorrow.

18 MS. DOUGHERTY: Right. Mr. Poulos, even  
19 though it's going to be overnight, you can't talk  
20 about your testimony with anyone because, you know,  
21 your deposition hasn't concluded and --

22 THE WITNESS: I know.

23 MS. DOUGHERTY: -- and you've agreed to  
24 return tomorrow to complete it so we don't have an  
25 exorbitantly long day today. So that's why Mr. Jubb

Kurtis N. Poulos

1

2

3

4

5 is making that point, you're under oath and you

6

7 can't discuss your testimony with anyone.

8

9 THE WITNESS: I appreciate it.

10

11 MS. DOUGHERTY: Okay. I think we can go

12

13 off the record now, right? Unless, Mr. Jubb, you

14

15 had anything you wanted to add.

16

17 MR. JUBB: No.

18

19 VIDEOGRAPHER: All right. Well, this

20

21 adjourns the deposition of Kurtis Poulos for today.

22

23 The time is 5:45. And we are now off the record.

24

25 (The deposition adjourned at 5:45 p.m.)

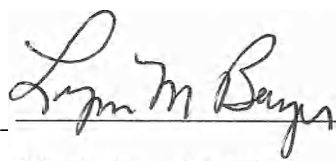
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## 1 CERTIFICATE

2 I, LYNN M. BAYER, Registered Professional  
3 Reporter, Certificate of Merit and Notary Public in and  
4 for the State of Wisconsin, do hereby certify that prior  
5 to the commencement of the examination, KURTIS N. POULOS,  
6 was duly remotely sworn by me to testify to the truth, the  
7 whole truth and nothing but the truth.

8 I DO FURTHER CERTIFY that the foregoing is a  
9 verbatim transcript of the testimony as taken  
10 stenographically by me at the time, place and on the date  
11 hereinbefore set forth, to the best of my ability.

12 I DO FURTHER CERTIFY that I am neither a relative  
13 nor employee nor attorney nor counsel of any of the  
14 parties to this action, and that I am neither a relative  
15 nor employee of such attorney or counsel, and that I am  
16 not financially interested in the action.

17   
18 \_\_\_\_\_

19 LYNN M. BAYER

20

21 Registered Professional Reporter

22 Certificate of Merit

23 Notary Public in and for the State of Wisconsin

24 Dated: November 29, 2020

25 My Commission expires April 24, 2024

KURTIS N. POULOS

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CERTIFICATE OF WITNESS

7

8

9

10

I have read the foregoing pages, \_\_\_\_ to \_\_\_\_,

11

12

and the same is true and correct to the best of my

13

14

knowledge and belief. I [have/have not] noted changes on

15

16

an attached change sheet.

17

18

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

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24

KURTIS N. POULOS

Kurtis N. Poulos

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ERRATA SHEET

DO NOT WRITE ON THE TRANSCRIPT. Change(s) should be made  
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SIGNATURE

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1 UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
3 -----  
4 JOHN DOE,  
5 Plaintiff,  
6 -vs- Case No. 19 CV 1539  
7 MITCHELL GARABEDIAN, ESQ., LAW  
8 OFFICES OF MITCHELL GARABEDIAN,  
9 and KURTIS N. POULOS,  
10 Defendants.  
11 -----

12 VOLUME III

13  
14 Video deposition of KURTIS NICHOLAS POULOS,  
15 taken at the instance of the Plaintiff, pursuant to the  
16 Federal Rules of Civil Procedure, pursuant to notice,  
17 before Debbie A. Harnen, Registered Professional  
18 Reporter and Notary Public in and for the State of  
19 Wisconsin, VIA ZOOM VIDEOCONFERENCE, on November 24,  
20 2020, commencing at 10:00 a.m. and concluding at  
21 12:35 p.m.

22

23

24

25 Reported by: Debbie A. Harnen, RPR

1 A P P E A R A N C E S:

2

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15

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16

17

ALSO PRESENT: Mr. Jeff Sindiong (REMOTELY)

18

Video Technician

19

20

21

22

23

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25

1	I N D E X	
2	EXAMINATION	PAGE
3	KURTIS NICHOLAS POULOS	
4	By Ms. Dougherty . . . . .	449
5	By Mr. Jubb . . . . .	491
6	By Ms. Dougherty . . . . .	541
7	By Mr. Jubb . . . . .	542
8		
9		
10		
11		
12	E X H I B I T S	
13	NUMBER	PAGE IDENTIFIED
14		
	Exhibit D-4 December 2018 letter to Rees -	482
15	Bates labeled Garabedian 053-054	
16		
17	(Original exhibit attached to the original transcript; PDF provided to attorneys ordering exhibit copies.)	
18		
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22		
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1 TRANSCRIPT OF PROCEEDINGS

2 THE VIDEOGRAPHER: We are now on the  
3 record.

4 My name is Jeff Sindiong, the  
5 videographer, for Golkow Litigation Services.  
6 Today's date is November 24th, 2020, and the time  
7 on the screen is 10:00 a.m.

8 This is the continuation of the  
9 deposition of Kurtis Poulos, whom I'll remind is  
10 still under oath; and this is being held in the  
11 matter of John Doe versus Garabedian, Esq., et al.  
12 Due to the nature of remote reporting, please  
13 pause briefly before speaking to ensure all  
14 parties are heard completely.

15 Will counsel please identify  
16 themselves and who they represent?

17 MR. JUBB: Good morning. Lane Jubb of  
18 The Beasley Firm for plaintiff.

19 MS. DOUGHERTY: Candidus Dougherty from  
20 Swartz Campbell, LLC, for Defendant Mitchell  
21 Garabedian.

22 THE VIDEOGRAPHER: And our court  
23 reporter today is Debbie Harnen. We may now  
24 continue.

25

1 KURTIS NICHOLAS POULOS,  
2 called as a witness herein, having been previously  
3 duly sworn and having testified, was examined and  
4 testified further as follows:

5 EXAMINATION (Resumed)

6 BY MS. DOUGHERTY:

7 Q Mr. Poulos, do you understand that you are still  
8 under oath?

9 A Yes, I do.

10 Q Where are you testifying from today?

11 A From my apartment.

12 Q Is anyone else in your apartment with you other  
13 than Clifford --

14 A No.

15 Q -- your service dog?

16 A Just my service dog.

17 Q Did Mr. Ralston ever put his mouth on your penis?

18 A Yes.

19 Q How many times did Mr. Ralston put his mouth on  
20 your penis?

21 A I couldn't say.

22 Q Did Mr. Ralston put his mouth on your penis more  
23 than once?

24 A Yes.

25 Q Did Mr. Ralston put his mouth on your penis more

1           than five times?

2     A     Yes.

3     Q     Did Mr. Ralston put his mouth on your penis more  
4           than ten times?

5     A     I don't believe so.

6     Q     So to your best recollection, Mr. Ralston put his  
7           mouth on your penis between five and ten times?

8     A     Correct.

9     Q     Each time Mr. Ralston put his mouth on your penis  
10          did it occur in the corner of the classroom -- the  
11          geometry classroom that you described to us the  
12          other -- last week?

13    A     Yes.

14    Q     So there was a corner that you believe was a blind  
15          spot not visible from the outside of the classroom  
16          where Mr. Ralston put his mouth on your penis; is  
17          that right?

18    A     Correct.

19    Q     Other than putting his hands on your penis outside  
20          your pants, making you touch Mr. Ralston on his  
21          penis outside his pants, touching your penis  
22          inside your pants, making you touch Mr. Ralston's  
23          penis inside his pants, making you put your mouth  
24          on Mr. Ralston's penis, and Mr. Ralston putting  
25          his mouth on your penis, did Mr. Ralston touch you

1 in any other way that you believed was  
2 inappropriate?

3 A Just awkward shoulder grabbing, shoulder rubs.

4 Q Did the awkward shoulder grabbing and rubbing  
5 occur during your sophomore year?

6 A Correct, during class.

7 Q So during geometry class, Mr. Ralston would touch  
8 your shoulders?

9 A He'd walk up behind, which would look innocent  
10 enough to anybody else in the room.

11 Q Mr. Ralston would walk up behind you when you were  
12 sitting in your geometry class?

13 A Correct.

14 Q And then what did Mr. Ralston do when he walked up  
15 behind you when you were sitting in your geometry  
16 class?

17 A Just randomly rub my shoulders.

18 Q How many times did Mr. Ralston walk up behind you  
19 and randomly rub your shoulders during your  
20 geometry class?

21 A I couldn't say.

22 Q Did Mr. Ralston walk up behind you and rub your  
23 shoulders during geometry class more than once?

24 A Yes.

25 Q Did Mr. Ralston walk up behind you and rub your

1           shoulders during geometry class more than ten  
2           times?

3     A     Yes.

4     Q     Did Mr. Ralston walk up behind you and rub your  
5           shoulders during geometry class more than 20  
6           times?

7     A     I don't know.

8     Q     So to the best of your recollection, Mr. Ralston  
9           walked up behind you and rubbed your shoulders  
10          during geometry class between 10 and 20 times; is  
11          that correct?

12    A     Correct.

13    Q     Did Mr. Ralston ever say anything any of the times  
14          when he walked up behind you and rubbed your  
15          shoulders during geometry class?

16    A     No.

17    Q     Was there a particular -- let me start again.

18                        You mentioned that your classes  
19          rotated through different times on different days.  
20          Was there any correlation between the day and time  
21          of your geometry class and the times when  
22          Mr. Ralston walked up behind you and touched your  
23          shoulders?

24    A     No.

25    Q     Please tell me about the first time that



1 Mr. Ralston put his mouth on your penis.

2 A I don't remember specifics.

3 Q Can you please tell me what you remember -- let me  
4 start again.

5 Can you please tell me what you do  
6 remember of the first time that Mr. Ralston put  
7 his mouth on your penis?

8 A No. I've worked very hard to forget. I don't  
9 remember specifics.

10 Q Do you have -- let me start again.

11 Are there any writings, a journal  
12 or documentation that you prepared that you could  
13 review to refresh your recollection about the  
14 specific facts of each instance that Mr. Ralston  
15 put his mouth on your penis?

16 A No. I've never kept a journal.

17 Q Have you ever written down information regarding  
18 any of the incidents of abuse by Mr. Ralston?

19 A No. I've never written any of it down.

20 Q Do you remember during which trimester of your  
21 sophomore year Mr. Ralston put his mouth on your  
22 penis for the first time?

23 A The second trimester.

24 Q In every instance that Mr. Ralston put his mouth  
25 on your penis -- let me start again.

1 Did every instance that Mr. Ralston  
2 put his mouth on your penis occur during the  
3 second trimester of your sophomore year?

4 A No.

5 Q What other trimester of your sophomore year did  
6 Mr. Ralston put his mouth on your penis?

7 A Third trimester.

8 Q Are you able to tell me any information about any  
9 instance that Mr. Ralston put his mouth on your  
10 penis?

11 A No.

12 Q Other than touching you on your penis outside your  
13 pants, making you touch Mr. Ralston on his penis  
14 outside his pants, touching you on your penis  
15 inside your pants, making you touch Mr. Ralston's  
16 penis on the inside of his pants, making you put  
17 your mouth on Mr. Ralston's penis, putting his  
18 mouth on your penis, and rubbing your shoulders  
19 awkwardly, are there any other times that  
20 Mr. Ralston touched you that you believe was  
21 inappropriate?

22 A Not to my recollection.

23 Q Just to confirm, all the touching that I just  
24 described occurred during your sophomore year at  
25 The Hill School; is that right?

1 A Correct. That's why I didn't come back my junior  
2 year -- or I didn't stay, I should say.

3 Q I think you mentioned on one of your prior days of  
4 testimony that you did actually go to school with  
5 the intention -- let me start again.

6 You did travel to The Hill School  
7 with the intention to start your junior year, but  
8 you had an encounter with a teacher that caused  
9 you to pack up and go home; is that fair?

10 A That's correct.

11 Q Who was the teacher that you had the encounter  
12 with when you arrived at The Hill School for your  
13 junior year of high school?

14 A It was Mr. Ralston.

15 Q What happened between you and Mr. Ralston during  
16 this encounter?

17 A He just made a gesture and a comment, and I knew I  
18 needed to get out of there.

19 Q What gesture did Ralston make?

20 A I don't remember. I just remember feeling  
21 uncomfortable.

22 Q What did -- let me start again.

23 What comment did Mr. Ralston make?

24 A I don't remember specifics.

25 Q Well, tell me what you do remember about the

1 comment that Mr. Ralston made.

2 A That I felt uncomfortable.

3 Q So is it correct that you don't remember the exact  
4 gesture or specifically what Mr. Ralston said to  
5 you; just that the gesture and the comment made  
6 you feel uncomfortable and that you needed to get  
7 out of there?

8 A Correct.

9 Q When did this interaction with Mr. Ralston occur?

10 A I believe it was during or after our, you know,  
11 reacclimation, our -- you know, we had those  
12 meetings talking about the upcoming school year;  
13 and if I remember correctly, it was at chapel or  
14 after chapel outside of the building.

15 Q How many days had you been at The Hill School  
16 before the encounter with Mr. Ralston that you  
17 believe was outside the chapel?

18 A One or two, no more than four.

19 Q What did you do immediately after the encounter  
20 with Mr. Ralston outside the chapel before the  
21 start of your junior year at The Hill School?

22 A I remember calling my travel agent, and she said  
23 it was too quick to rebook a flight. I remember  
24 starting to pack some of my belongings without  
25 alerting my roommate at the time; and I remember

1 hiring a car service to pick me up.

2 Q How long in relation to the interaction with  
3 Mr. Ralston outside the chapel did the car service  
4 arrive to pick you up?

5 A I couldn't tell you if it was the same day or the  
6 next day. It all just sort of flowed together.

7 MS. DOUGHERTY: Hey, Lane, are you  
8 typing?

9 MR. JUBB: Yeah.

10 MS. DOUGHERTY: We can hear you typing.

11 MR. JUBB: Okay. I'll put it on mute.

12 MS. DOUGHERTY: Do you mind --

13 MR. JUBB: I'm sorry.

14 BY MS. DOUGHERTY:

15 Q Okay. And I'll try to pause -- Mr. Poulos, pause  
16 after my question so Lane can unmute in case he  
17 wants to object.

18 The third or fourth time that  
19 Mr. Ralston touched you inappropriately, he  
20 laughed; is that correct?

21 A I think it was one of the first few times,  
22 correct.

23 Q Were there any other occasions when Mr. Ralston  
24 was touching you inappropriately that he laughed?

25 A Not to my recollection.

1 Q During any of the times that Mr. Ralston touched  
2 you inappropriately, did he say anything to you?

3 A Not to my recollection.

4 Q During any of the times that Mr. Ralston touched  
5 you inappropriately, did he make any noises?

6 A Yes.

7 Q What noises did Mr. Ralston make when he was  
8 inappropriately touching you?

9 A The same sort of noises that most individuals make  
10 when they're enjoying themselves, I guess.

11 Q Did Mr. Ralston make noises every time he touched  
12 you inappropriately?

13 A I couldn't recall.

14 Q Did you ever say anything or make any noise during  
15 the time -- during any time that Mr. Ralston  
16 touched you inappropriately?

17 A No. I stayed silent.

18 Q Did Mr. Ralston ever say anything or make noise  
19 during any of the incidents where he made you  
20 touch him inappropriately?

21 A Repeat the question.

22 Q Sure. Did Mr. Ralston ever say anything or make  
23 any noise during any of the incidents that he made  
24 you touch him inappropriately?

25 A Yes. I just stated that he did.

1 Q So Mr. Ralston made noise both when he touched you  
2 or made you touch him inappropriately; is that  
3 right?

4 A Correct.

5 Q Have you told me everything that you can presently  
6 remember regarding any incident where Mr. Ralston  
7 touched you or made you touch him in a manner in  
8 which you felt was inappropriate?

9 A Yes.

10 Q Did you share the same information about  
11 Mr. Ralston touching you or making you touch him  
12 inappropriately with Mr. Garabedian?

13 A Yes.

14 Q I believe you mentioned in your prior testimony  
15 that there were maybe a dozen instances of contact  
16 with Mr. Ralston that you considered bullying, one  
17 of which was an incident involving your car and  
18 being blocked in.

19 Can you tell me what you remember  
20 about the other instances that you were  
21 referencing that you felt Mr. Ralston was bullying  
22 you?

23 A My sixth form year he was not my teacher. He  
24 wasn't my hall master, yet he seemed to go out of  
25 his way to involve himself in almost every aspect

1 of my day.

2 So I stopped attending -- again,  
3 breakfast was not mandatory for sixth formers, but  
4 I stopped attending all breakfasts. Lunch was  
5 mandatory, dinner was mandatory, but I left as  
6 soon as I could.

7 Q What do you mean by Mr. Ralston went out of his  
8 way to involve himself?

9 A It was like having a creepy shadow where, if I  
10 misspoke or overstepped my bounds, it was like he  
11 was looking for it. So I stopped -- we had coffee  
12 with the teachers after dinner, and he'd come over  
13 and sit eerily close as if trying to hear what I  
14 was talking about, and so I stopped attending that  
15 as well.

16 Q Did Mr. Ralston -- let me start again.

17 How did Ralston go out of his way  
18 to involve himself during breakfast?

19 A I don't know. I didn't really attend breakfast.

20 Q Was there a reason related to Mr. Ralston that you  
21 stopped attending breakfast during your six --  
22 sixth form year?

23 A No. I just overall, in general, felt safer in my  
24 dorm rather than -- or my dorm room rather than  
25 being around him at all.



1 Q So is it a fair characterization that during your  
2 sixth form year, you went out of your way to stay  
3 in your dorm room as much as possible?

4 A Correct.

5 Q And the reason you went out of your way to stay in  
6 your dorm room as much as possible during your  
7 sixth form year was because of Mr. Ralston; is  
8 that right?

9 A Correct.

10 Q So you said that you missed coffee with the  
11 teachers, breakfast, dinner.

12 Was there any other events -- were  
13 there any other events that you missed because you  
14 were going out of your way to stay in your dorm  
15 room during your sixth form year?

16 A I believe Lawrenceville weekend, the bonfire I did  
17 not attend. It wasn't mandatory; I wasn't going.

18 Q Okay. So breakfast wasn't mandatory, so you did  
19 not attend breakfast during your sixth form year;  
20 is that right?

21 A Right.

22 Q Was lunch mandatory during your sixth form year?

23 A Yeah. We had school announcements.

24 Q So you attended lunch during your sixth form year?

25 A For the most part. I might not have eaten, but I

1 would have had to show up.

2 Q Okay. So is it a fair characterization that  
3 during your sixth form year, you would show up for  
4 lunch, listen to the announcements, and then  
5 return to your dorm room?

6 A Correct.

7 Q Was dinner mandatory during your sixth form year?

8 A I believe so, yes.

9 Q Did you attend dinner during your sixth form year?

10 A Just to make sure that I got checked in and then  
11 leave.

12 Q Okay. So you would appear for dinner, get checked  
13 in and then return to your dorm room during your  
14 sixth form year; is that fair?

15 A Correct.

16 Q You didn't attend the bonfire, you didn't attend  
17 coffee with the teachers, which were both not  
18 mandatory.

19 Are there any other events,  
20 mandatory or nonmandatory, that you did not attend  
21 during your sixth form year because you felt safer  
22 in your dorm room?

23 A Not to my recollection.

24 Q Are there any interactions that you recall between  
25 you and Mr. Ralston that you considered to be

1 bullying activity by Mr. Ralston that you've not  
2 told us about?

3 A Not to my recollection.

4 Q You mentioned previously that on the day that  
5 Mr. Ralston blocked your car in over parents  
6 weekend during your sixth form year, you knocked  
7 on his door and had a discussion with Ms. Ralston;  
8 is that right?

9 A I believe it was Ms. Ralston. He refused to  
10 answer the door.

11 Q Okay. So it's your recollection that you knocked  
12 on the door and asked for Mr. Ralston?

13 A Yeah.

14 Q And a woman answered the door?

15 A His wife.

16 Q What did you say to Mrs. Ralston?

17 A I asked them to move their vehicle --

18 Q Did Ms. --

19 A -- so I could go and see my mom and have a normal  
20 parents weekend like every other student had.

21 Q When you parked your car, where did you park it?

22 A I couldn't tell you the exact direction, but it  
23 was paral- -- or perpendicular to the building.

24 Like I said, there was -- the  
25 building goes this way, there was a staircase that

1           went down right outside of my window. Next to  
2           that was a small -- what could be considered a  
3           parking spot; and on the other side of that was a  
4           hill that led up to the headmaster's office.

5                       So I pulled into that one area  
6           where I knew I wasn't going to block any other  
7           part of that parking structure given the fact that  
8           there was, I believe, four teachers in that  
9           building who all had vehicles parked inside of a  
10          garage. So I parked out of the way, again, just  
11          to get in and get out with my belongings so I  
12          could resume my parent -- you know, my time with  
13          my mom for parents weekend.

14    Q    Okay. So just to be clear, you weren't in, like,  
15          your assigned parking spot? You pulled up close  
16          to the building so you could run up quickly and  
17          get your stuff; is that right?

18    A    Yeah. My assigned parking spot was a half a mile  
19          away behind the history of art music building, the  
20          Performing Arts building.

21    Q    What did Mrs. Ralston say when you asked that she  
22          or her husband move their car?

23    A    Basically that they weren't going to move their  
24          car; that I had broken some rule about coming back  
25          on campus, which I find interesting because then

1           they knew I was already signed out of campus.

2                               So if you know I broke a rule by  
3           coming back to campus, you must have known that I  
4           was already signed off of campus for the weekend.

5     Q     Did you say any of that to Mrs. Ralston when she  
6           indicated that her and her husband were not going  
7           to move their car?

8     A     I believe so, yes.

9     Q     Is there anything else that you remember  
10          Mrs. Ralston saying to you or you saying to  
11          Mrs. Ralston?

12    A     She was very combative. The whole situation was  
13          very combative.

14                            I mean, the fact that a grown man  
15          took time to get up out of his apartment, move his  
16          car out of his parking stall, put it behind my  
17          car, it was infuriating because not only is he  
18          trying to intimidate me; he's taking away time  
19          that I could spend with my mom away from the  
20          campus and feel normal for 24 hours.

21    Q     Is there anything else that you remember about the  
22          exchange between you and Mrs. Ralston?

23                            Hold on. We can't hear you. At  
24          least I can't hear you.

25                            MS. DOUGHERTY: Can people hear me?

1 THE COURT REPORTER: I can hear you. I  
2 can't hear the witness.

3 MS. DOUGHERTY: Okay.

4 BY THE WITNESS:

5 A Locking my door that night.

6 BY MS. DOUGHERTY:

7 Q All right. Mr. Poulos, I think we missed the  
8 first part of your answer. I could see your mouth  
9 moving but couldn't hear you.

10 So let me ask the question again,  
11 and can you give your answer again, please? I  
12 believe my question was whether you remembered  
13 anything else regarding the exchange between you  
14 and Mrs. Ralston?

15 A Between her and myself, no.

16 Q The next morning, was Mr. Ralston's car still  
17 blocking your car?

18 A Nope.

19 Q Do you know when Mr. Ralston moved his car to stop  
20 blocking your car?

21 A No idea, but it had to have been before 8:00 a.m.

22 Q Did you get into trouble or -- of any kind, I  
23 guess, from the disciplinary dean for coming back  
24 to the school during parents weekend?

25 A Absolutely not.

1 Q So -- let me start again.

2 You returned the keys to your car  
3 at some point?

4 A After I drove my mom to the airport in  
5 Philadelphia, I drove back to campus, I believe  
6 probably stopped and got some food for my dorm;  
7 and I think we were supposed to -- like I said, I  
8 believe we put our keys -- put our keys through a  
9 mail slot in the door.

10 But it had to have been returned  
11 either first thing the following morning or the  
12 same day because I would have had to park all the  
13 way over behind the Performing Arts building, and  
14 I would have had to pass basically right by.

15 So knowing me, I wouldn't have  
16 waited. I would have just gone, done it, and then  
17 gone back to my dorm.

18 Q Okay. So your recollection is that when you  
19 returned to the campus, whatever the procedure was  
20 at the time, you -- to return your keys, you  
21 followed it, right?

22 A Correct.

23 Q And you never heard anything further from the dean  
24 of discipline or whomever that you had done  
25 something wrong during the parents weekend?

1 A No, because I didn't do anything wrong.

2 Q As a result of being sexually molested by  
3 Mr. Ralston, have you suffered from depression?

4 A Yes.

5 Q As a result of being sexually molested by  
6 Mr. Ralston, have you suffered from sadness?

7 A Sadness, depression, PTSD or PTSS.

8 Q As a result of being sexually molested by  
9 Mr. Ralston, have you cried?

10 A Numerous occasions.

11 Q As a result of being sexually molested by  
12 Mr. Ralston, have you experienced anxiety?

13 A Yes.

14 Q As a result of being sexually molested by  
15 Mr. Ralston, have you experienced emotional pain?

16 A Yes.

17 Q As a result of being sexually molested by  
18 Mr. Ralston, have you had sleep problems?

19 A To say the least.

20 Q What do you mean to say the least?

21 A I mean, I don't sleep. I sleep two hours here,  
22 two hours there. I wake up having nightmares  
23 that I'm back on that campus doing it all over  
24 again.

25 Q As a result of being sexually molested by



1 Mr. Ralston, do you experience concentration  
2 problems?

3 A No. I can concentrate just fine.

4 Q When you were at The Hill School, did you  
5 experience concentration problems because of being  
6 sexually molested by Mr. Ralston?

7 A Yeah, because I didn't know who was around me, who  
8 I could trust.

9 Q As a result of being sexually molested by  
10 Mr. Ralston, do you have low self-esteem?

11 A I believe so, yes.

12 Q As a result of being sexually molested by  
13 Mr. Ralston, do you have low self-respect?

14 A Yes.

15 Q As a result of being sexually molested by  
16 Mr. Ralston, do you have low self-confidence?

17 A At times.

18 Q As a result of being sexually molested by  
19 Mr. Ralston, are you apathetic and find yourself  
20 not caring about things generally or caring about  
21 things in your life?

22 A I care very much about things in my life. I care  
23 about my home, my dog, you know, the people that  
24 support me. So I'm not apathetic.

25 Q How about when you were at The Hill School? Did

1           you feel apathetic or find yourself not caring  
2           about your life or things?

3     A     I still cared about my life. That's why I spent  
4           as little time there after I was accepted to  
5           college as possible.

6     Q     When you were at The Hill School, did you not care  
7           about your grades because you were sexually  
8           molested by Mr. Ralston?

9     A     I stopped caring about my grades when I got  
10          accepted to college.

11    Q     When you were at The Hill School, were you more  
12          concerned about being safe and spending time in  
13          your dorm room than your grades?

14    A     Yes.

15    Q     If I understand you correctly, you did care about  
16          your future when you were at The Hill School,  
17          which is why you stuck it out despite the abuse;  
18          is that fair?

19    A     That, and I didn't want to let my family down.

20    Q     As a result of being sexually molested by  
21          Mr. Ralston, did you self-medicate or turn to  
22          drugs and alcohol to cope with the emotional  
23          pain?

24    A     In general or my senior year?

25    Q     Well, let's start with generally.

1 A Yes.

2 Q How about during your senior year?

3 A Yes.

4 Q So your senior year at The Hill School, is that  
5 when you started consuming drugs and alcohol to  
6 cope with the emotional pain of being sexually  
7 molested by Mr. Ralston?

8 A I -- I'll be honest. I started consuming alcohol  
9 when I was living in France because it was legal.

10 But my senior year I was drinking  
11 vodka orange juice like it was water just to get  
12 me through the days, and we'd smoke weed every  
13 once in a while, but what high school student  
14 didn't.

15 Q So when you consumed alcohol in France, that was  
16 during your junior year, right?

17 A Correct, when I was living abroad.

18 Q And when you consumed alcohol when you were living  
19 abroad, that was for recreation; is that fair?

20 A Yeah, and it was the first time I had ever  
21 consumed alcohol.

22 Q When you were drinking vodka orange juice like  
23 water during your senior year, was that also for  
24 recreation or for another reason?

25 A For another reason.

1 Q What was the other reason?

2 A To just numb the day away.

3 Q When you smoked marijuana during your senior year,  
4 was that for recreation or for a different reason?

5 A Recreation.

6 Q Did you continue consuming alcohol to numb the day  
7 away after your senior year?

8 A Off and on.

9 Q As a result of being sexually molested by  
10 Mr. Ralston, did you self-sabotage the good things  
11 in your life?

12 A Every chance I got.

13 Q Can you give me some examples of how you  
14 self-sabotaged the good things in your life as a  
15 result of being sexually molested by Mr. Ralston?

16 A Positive relationships with my family members,  
17 positive relationships with girlfriends, with  
18 close friends.

19 I don't like getting very close to  
20 people anymore because I'm scared that I'm going  
21 to wake up one day, and they're going to use  
22 whatever I said against me in some sort of  
23 fashion.

24 Q As a result of being sexually molested by  
25 Mr. Ralston, do you have trust problems?

1 A Most undoubtedly.

2 Q As a result of being sexually molested by  
3 Mr. Ralston, do you have flashbacks and reminders  
4 of the sexual abuse?

5 A Yes. Like I said, I'm having nightmares. I've  
6 been having nightmares about just even being back  
7 on that campus.

8 Q How long have you had nightmares?

9 A Decades now.

10 Q Have you had nightmares -- let me start again.

11 When did the nightmares start?

12 A To my recollection, over the last ten years.

13 Q Did you have nightmares when you were attending  
14 The Hill School?

15 A Yeah. I didn't sleep more than two or three  
16 hours.

17 Q As a result of being sexually molested by  
18 Mr. Ralston, do you feel broken and unfixable?

19 A I hope I'm fixable, but I feel like he broke a big  
20 chunk of my life out of my control.

21 Q How about when you were at The Hill School? Did  
22 you feel broken and unfixable as a result of being  
23 sexually molested by Mr. Ralston?

24 A Yes, because I felt like I should have had the  
25 experience that everybody else in my family had

1 experienced over generations at that school.

2 Q As a result of being sexually molested by

3 Mr. Ralston, have you ever self-harmed?

4 A As a result of that, no.

5 Q Have you self-harmed for reasons other than being

6 sexually molested by Mr. Ralston?

7 A I would assume that my drinking would be

8 considered a form of self-harm, but in a --

9 Q Okay. I understand. So let me clarify my  
10 question because I didn't -- I wasn't thinking of  
11 it that way, and I think you're absolutely right.

12 So other than drinking -- let me  
13 start again.

14 When you were consuming alcohol  
15 like water, did you consider that consuming  
16 alcohol in excess?

17 A In retrospect, yes.

18 Q You considered drinking alcohol to excess to be  
19 self-harm; is that right?

20 A Absolutely.

21 Q Other than drinking alcohol to excess, have you  
22 self-harmed in other ways due to being sexually  
23 molested by Mr. Ralston?

24 A Just in my professional life.

25 Q What do you mean by that?

1 A Again, sabotaging things that are good in my life.

2 Q So you have self-harmed as a result of being  
3 sexually molested by Mr. Ralston by drinking to  
4 excess and sabotaging professional relationships  
5 in your life?

6 A Correct.

7 Q As a result of being sexually molested by  
8 Mr. Ralston, do you feel alone and isolated?

9 THE WITNESS: Can you stop typing?

10 MR. JUBB: I'm back on mute.

11 THE WITNESS: Can you repeat the  
12 question?

13 BY MS. DOUGHERTY:

14 Q Sure. I apologize. I didn't notice the typing  
15 again.

16 As a result of being sexually  
17 molested by Mr. Ralston, do you feel alone and  
18 isolated?

19 A Yeah, but I feel safe.

20 Q When you were at The Hill School, did you feel  
21 alone and isolated because of being sexually  
22 molested by Mr. Ralston?

23 A At times.

24 Q As a result of being sexually molested by  
25 Mr. Ralston, did you feel ostracized when you were

1 at The Hill School?

2 A Yes.

3 Q As a result of being sexually molested by  
4 Mr. Ralston, do you feel shame?

5 A Yes.

6 Q As a result of being sexually molested by  
7 Mr. Ralston, do you feel embarrassment?

8 A For myself and my family.

9 Q As a result of being sexually molested by  
10 Mr. Ralston, do you feel guilt?

11 A At times. I try not to because it's not my fault  
12 that he's sick.

13 Q As a result of being sexually molested by  
14 Mr. Ralston, do you blame yourself?

15 A No.

16 Q When you were at The Hill School, did you blame  
17 yourself because of Mr. Ralston's sexual abuse?

18 A I honestly didn't know -- I believe I was too  
19 young to actually comprehend the long-term effects  
20 of what that would have -- would produce.

21 Q Right. But just if we could -- and I realize it's  
22 difficult. Just if you can return yourself to  
23 when you were at The Hill School, did you feel  
24 self-blame because of the conduct by Mr. Ralston?

25 A I don't recall.



1 Q As a result of being sexually molested by  
2 Mr. Ralston, do you have intimacy problems?

3 A Yes, because I don't trust anybody.

4 Q When you were at The Hill School, did you lose a  
5 dangerous amount of weight as a result of being  
6 sexually molested by Mr. Ralston?

7 A Yes. I lost about 20 pounds my senior year -- or  
8 sixth form year.

9 Q Was that because you did not feel like eating?

10 A I didn't -- I didn't wanna -- like I did  
11 everything I could to stay in my room; and if that  
12 meant I was eating cans of tuna straight out of  
13 the can, that's what I was going to have to do;  
14 and yes, I would go to the grill and maybe order  
15 food once in a while, but I wouldn't eat most of  
16 it.

17 It got to a point where my mother  
18 actually called the school to get me special  
19 permission so I could go off campus using my car  
20 to eat by myself at a restaurant.

21 Q Did you get the special permission that your  
22 mother requested?

23 A I don't believe so, no.

24 Q As a result of being sexually molested by  
25 Mr. Ralston, have you ever experienced suicidal

1 ideation?

2 A Yes.

3 Q As a result of being sexually molested by  
4 Mr. Ralston, have you ever felt an emotional void?

5 A Yes.

6 Q As a result of being sexually molested by  
7 Mr. Ralston, have you felt anger?

8 A Very much so.

9 Q As a result of being sexually molested by  
10 Mr. Ralston, have you felt confusion?

11 A Yes.

12 Q As a result of being sexually molested by  
13 Mr. Ralston, do you feel that Mr. Ralston ruined a  
14 part of your life?

15 A He took away my life.

16 Q Do you feel that Mr. Ralston sent you down the  
17 wrong road in life?

18 Hold on one second.

19 THE COURT REPORTER: We can't hear you.

20 MS. DOUGHERTY: Can you speak again?

21 Mr. Poulos, can you hear us? We can't hear you.

22 Can you make a sound? Mr. Poulos?

23 THE WITNESS: Yeah, I'm here.

24 BY MS. DOUGHERTY:

25 Q Okay. We lost you there I think for a minute.

1 I'm going to ask my question again.

2 Do you feel that Mr. Ralston sent  
3 you down the wrong road in life?

4 A I think it was a contributing factor.

5 Q Do you feel that Mr. Ralston stole your childhood  
6 innocence?

7 A I think he froze me in time.

8 Q What do you mean by that?

9 A I mean, I'm 42 years old, and I still feel like a  
10 terrified child.

11 Q The various impacts of the -- of being sexually  
12 molested by Mr. Ralston that you just described  
13 for me for the past several minutes, did you share  
14 that same information with Mr. Garabedian?

15 A To an extent.

16 Q What do you mean "to an extent"?

17 A I didn't -- I don't recall going into too many  
18 details. He just asked overall if it had affected  
19 me, and I said yes.

20 Q Did you describe to Mr. Garabedian how the -- how  
21 being sexually molested by Mr. Ralston affected  
22 you?

23 A Yes.

24 Q Oops. I almost hung up on everybody. I'm going  
25 to try to share my screen.

1 I'm showing you a document that was  
2 previously shown to you by plaintiff's counsel as  
3 P16.225 to 226. There's a number of versions of  
4 it in the record. The particular version that I'm  
5 showing you, which I think it's just an identical  
6 copy, has Garabedian053 and Garabedian054 at the  
7 bottom. Actually, I have the letter twice. So  
8 it's 053 to 056.

9 MS. DOUGHERTY: Lane, did you use 55 to  
10 56 or 5- -- did you use -- which one did you use,  
11 do you know?

12 MR. JUBB: I used the ones that were  
13 produced from the school. So mine were P16, but I  
14 have those numbers if you'd like me to reference  
15 them.

16 MS. DOUGHERTY: Sure. I thought they  
17 were 225 and 226.

18 MR. JUBB: Are you trying to show him  
19 the letters that are at issue in the case?

20 MS. DOUGHERTY: Yeah. I just want to  
21 make sure we don't have any controversy just  
22 because I have one that has a different label on  
23 the bottom.

24 MR. JUBB: No. I think that -- as long  
25 as you're going through those four pages, I think

1           that's fine. But why don't you just identify them  
2           for the record just in case.

3                       MS. DOUGHERTY: Sure. It was really  
4           only my intention to go through the first two  
5           pages because it's the same letter twice.

6 BY MS. DOUGHERTY:

7 Q       So I'm showing you the December 26, 2018, letter  
8       by Mitchell Garabedian to Thomas D. Rees that  
9       says, Re: Sexual Abuse Claim of Kurtis Nichols  
10       Poulos. This letter appears a number of times  
11       with different Bates labels, which I don't think  
12       are important.

13                       I would like to direct your  
14       attention to the middle of the first page, the  
15       third paragraph that starts with your name,  
16       Nicholas Poulos. The sentence reads: Kurtis  
17       Nicholas Poulos (DOB [REDACTED]) met  
18       Mr. Ralston during Mr. Poulos's freshman year at  
19       The Hill School in approximately 1993 or  
20       approximately 1994 when Mr. Poulos was  
21       approximately 14 or approximately 15 years old.

22                       Is that sentence that I just read  
23       to you correct?

24 A       Correct.

25                       MR. JUBB: I'm sorry. Could -- I'm just

1 going to have to object. Correct as you read it?

2 MS. DOUGHERTY: Okay.

3 MR. JUBB: Can you clarify that for me?

4 MS. DOUGHERTY: Sure. That's fair.

5 I read the sentence -- the first  
6 sentence of the third paragraph -- you know what?  
7 I'm just going to mark the version I'm showing the  
8 witness, which is Garabedian 053 to 054 as D-4,  
9 just so I can reference it somehow.

10 (Exhibit No. D-4 was marked for  
11 identification.)

12 BY MS. DOUGHERTY:

13 Q So I just read to you, Mr. Poulos, the first  
14 sentence of the third paragraph on the first page  
15 of D-4. Did I read that sentence correctly?

16 A Yeah.

17 Q And the first sentence of the third paragraph of  
18 the first page of D-4 is factually correct; is  
19 that right?

20 A Correct. I was sat at his table as many other  
21 students were.

22 Q The next sentence on the -- the second sentence of  
23 the third paragraph on the first page of D-4  
24 reads: Mr. Ralston served as a table master in  
25 the dining hall, and Mr. Poulos had a rotation at

1 Mr. Ralston's table during Mr. Poulos's freshman  
2 year.

3 Did I read that sentence correctly?

4 A Yes.

5 Q Is that sentence, the second sentence of the third  
6 paragraph on the first page of D-4, true?

7 A Yes.

8 Q Okay. The third sentence of the third paragraph  
9 on the first page of D-4: Mr. Poulos recalls that  
10 Mr. Ralston was a mathematics teacher and a cross  
11 country coach at The Hill School.

12 Did I read that sentence correctly?

13 A Yes.

14 Q Is that sentence true?

15 A Yes.

16 Q Next sentence: Mr. Poulos recalls that  
17 Mr. Ralston lived in a dormitory of The Hill  
18 School with Mr. Ralston's family.

19 Did I read that sentence correctly?

20 A Yes.

21 Q Is that sentence true?

22 A Yes.

23 Q Next sentence: Mr. Poulos does not recall that  
24 anything inappropriate happened with Mr. Ralston  
25 during Mr. Poulos's freshman year at The Hill

1 School.

2 Did I read that sentence correct?

3 A Yes.

4 Q Is that sentence true?

5 A To my knowledge, yes.

6 Q The next paragraph, which is the fourth paragraph  
7 on the first page of D-4, which is the  
8 December 26, 2018, letter by Mr. Garabedian to  
9 Mr. Rees. Sentence reads: Mr. Ralston was  
10 Mr. Poulos's geometry teacher during Mr. Poulos's  
11 sophomore year at The Hill School in approximately  
12 1994 and approximately 1995 when Mr. Poulos was  
13 approximately 15 and approximately 16 years old.

14 Did I read that sentence correctly?

15 A Yes.

16 Q Is that sentence true?

17 A Yes.

18 Q Next sentence: Mr. Poulos recalls that classes  
19 were held on a rotating schedule at The Hill  
20 School so that classes met at different times of  
21 the day.

22 Did I read that sentence correctly?

23 A Yes.

24 Q Is that sentence true?

25 A Yes.



1 Q Next sentence: On certain days when Mr. Poulos  
2 had geometry as the last class of the day,  
3 Mr. Ralston made Mr. Poulos stay behind in  
4 Mr. Ralston's classroom.

5 Did I read that sentence correctly?

6 A Correct.

7 Q Is that sentence true?

8 A Yes.

9 Q Next sentence: Mr. Ralston and Mr. Poulos were  
10 alone in the classroom after school on these  
11 occasions.

12 Did I read that sentence correctly?

13 A Yes.

14 Q Is that sentence true?

15 A Yes.

16 Q Okay. Now we're on the second page of D-4, next  
17 sentence: Mr. Poulos recalls that the geometry  
18 classroom was located at the end of a hallway.

19 Did I read that sentence correctly?

20 A Yes.

21 Q Is that sentence true?

22 A Yes.

23 Q Next sentence: During the course of Mr. Poulos's  
24 sophomore year, Mr. Ralston sexually abused  
25 Mr. Poulos in Mr. Ralston's geometry classroom

1           between approximately 10 and approximately 15  
2           times.

3                               Did I read that sentence correctly?

4    A     Yes.

5    Q     Is that sentence true?

6    A     Yes.

7    Q     The next sentence: The sexual abuse consisted of,  
8           among other things, Mr. Ralston fondling  
9           Mr. Poulos's penis and testicles, skin on skin;  
10          Mr. Ralston making Mr. Poulos fondle Mr. Ralston's  
11          penis and testicles, skin on skin; Mr. Ralston  
12          putting his mouth on Mr. Ralston's penis; and  
13          Mr. Ralston making Mr. Poulos put his mouth on  
14          Mr. Ralston's penis.

15                           Did I read the sentence correctly  
16          as it's written in the letter that's been marked  
17          as D-4?

18   A     Yes.

19   Q     Now just directing your attention to where it  
20          says: Mr. Ralston putting his mouth on  
21          Mr. Ralston's penis, that didn't actually happen,  
22          right?

23   A     I don't know that that's physically possible.

24   Q     Right.

25                           Is it your understanding that --

1           that Mr. Ralston putting his mouth on  
2           Mr. Ralston's penis is referring to Mr. Ralston's  
3           putting his mouth on your penis?

4     A     Correct.

5     Q     So the beginning of that sentence, The sexual  
6           abuse consisted of, among other things,  
7           Mr. Ralston fondling Mr. Poulos's penis and  
8           testicles, skin on skin, is that true?

9     A     Yes.

10    Q     Mr. Ralston making Mr. Poulos fondle  
11          Mr. Ralston's penis and testicles, skin on skin,  
12          is that true?

13    A     Yes.

14    Q     And then the next part should read: Mr. Ralston  
15          putting his mouth on Mr. Poulos's penis; is that  
16          right?

17    A     Correct.

18    Q     And did Mr. Ralston put his mouth on your penis?

19    A     Yes.

20    Q     And then Mr. Ralston making Mr. Poulos put his  
21          mouth on Mr. Ralston's penis; is that true?

22    A     Yes.

23    Q     The next sentence, which is the first sentence of  
24          the second paragraph, I guess the first full  
25          paragraph, on Page 2 of D-4, which is the

1 December 26, 2018, letter by Mr. Garabedian to  
2 Mr. Rees, The sexual abuse by Mr. Ralston ended  
3 with Mr. Poulos's sophomore year at The Hill  
4 School.

5 Did I read that sentence correctly?

6 A Yes.

7 Q Is that sentence true?

8 A Yes.

9 Q Next sentence: Mr. Poulos transferred to  
10 Marquette University High School, Milwaukee,  
11 Wisconsin, for his junior year of high school.

12 Did I read that sentence correctly?

13 A Yes.

14 Q Is that sentence true?

15 A Yes.

16 Q Next sentence: Mr. Poulos returned to The Hill  
17 School for his senior year, approximately 1996 to  
18 approximately 1997.

19 Did I read that sentence correctly?

20 A Yes.

21 Q Is that sentence true?

22 A Yes.

23 Q Next sentence: Mr. Poulos -- excuse me. Let me  
24 start again.

25 Mr. Poulos had limited contact with

1 Mr. Ralston during Mr. Poulos's senior year,  
2 although Mr. Poulos recalls that he and  
3 Mr. Ralston lived in the same dormitory during  
4 that year.

5 Did I read that sentence correctly?

6 A Yes.

7 Q Is that sentence true?

8 A Yes.

9 Q Next sentence: Mr. Poulos does not recall any  
10 sexual abuse during Mr. Poulos's senior year at  
11 The Hill School.

12 Did I read that sentence correctly?

13 A Yes.

14 Q Is that sentence true?

15 A Yes.

16 Q Next sentence: Mr. Poulos does not recall having  
17 any contact with Mr. Ralston after Mr. Poulos  
18 graduated from The Hill School in approximately  
19 1997 when Mr. Poulos was approximately 18 years  
20 old.

21 Did I read that sentence correctly?

22 A Yes.

23 Q Is that sentence true?

24 A Yes.

25 Q And the factual information that I just read to

1           you is included in the third, fourth and fifth  
2           paragraph of the December 26, 2008 [sic], letter  
3           by Mr. Garabedian to Mr. Rees, which has been  
4           marked as D4, is that information that you  
5           provided to Mr. Garabedian?

6       A     Yes, it is.

7                       THE WITNESS: Clifford...

8                       MS. DOUGHERTY: Those are my questions.

9                       MR. JUBB: Okay. And the time right now  
10           is 12:04 p.m. Eastern Standard Time.

11                      Why don't we do a two-minute break,  
12           three-minute break since we've been going for an  
13           hour. Then I'll kick back off, and I should be  
14           pretty quick.

15                      MS. DOUGHERTY: Okay. So five minutes?  
16           12:10?

17                      MR. JUBB: 12:10, yep.

18                      MS. DOUGHERTY: Oh, let me stop sharing.  
19           There we go.

20                      THE VIDEOGRAPHER: We are now going off  
21           the record. The time is 11:05.

22                      (Recess taken from 11:05 a.m.  
23           until 11:14 a.m.)

24                      THE VIDEOGRAPHER: We are now back on  
25           the record. The time is 11:14, and you may

1 continue.

2 MR. JUBB: Thank you. Just for the  
3 record purposes, it is now 12:14 Eastern Time.

4 FURTHER EXAMINATION

5 BY MR. JUBB:

6 Q Mr. Poulos, the weekend that you have described  
7 where your car was parked in, you had said that  
8 that was parents weekend, correct?

9 A Correct.

10 Q Am I correct that parents weekend -- strike that.

11 When would parents weekend occur?

12 A Typically, the second or third week of October.

13 It would have been in the first trimester, roughly  
14 a month after we had already started classes.

15 Q And you would start classes in either -- end of  
16 August?

17 A No. Early September, after Labor Day weekend.

18 Q Okay.

19 A Unless you were there for football, there would be  
20 no other reason to be on campus that early.

21 Q With respect to Mr. Ralston, can you describe him  
22 for me?

23 A I'd say he was five-ten, 160 pounds, short hair,  
24 slight build.

25 Q Anything else?

1 A I couldn't tell you his eye color if that's what  
2 you're asking for.

3 Q With respect to the classroom in which you have  
4 alleged these assaults occurred, what color were  
5 the walls?

6 A Muted tones. Pretty much everything in that  
7 building was muted tones. My --

8 Q And am I understanding from your testimony that  
9 the door would -- coming into the room from the  
10 hall, you would make a left, and that door would  
11 open inward, correct?

12 A Correct.

13 Q And would it open inward, per your recollection,  
14 from the back of the classroom or from the front?

15 A I believe from the back of the classroom.

16 Q And then it's your --

17 A No. Well --

18 Q -- testimony that the teacher's desk --

19 (Zoom crosstalk.)

20 BY MR. JUBB:

21 Q I'm sorry. You're trying to make a hand gesture.

22 Can you --

23 MS. DOUGHERTY: Well, he's still  
24 talking. I don't think he was done with his  
25 answer.



1 THE WITNESS: I wasn't done.

2 MR. JUBB: I wasn't -- I interrupted him  
3 because he was doing his hand thing as soon as I  
4 started asking a question, so...

5 MS. DOUGHERTY: He was talking also,  
6 though.

7 MR. JUBB: I didn't hear him talk.

8 But Candy, if you could just -- I  
9 know how to conduct these. If you could just let  
10 me try and get through this as quickly as  
11 possible, that'd be okay.

12 BY MR. JUBB:

13 Q So Mr. Poulos --

14 MS. DOUGHERTY: Okay. Well, don't  
15 interrupt his answers. I realize it probably  
16 wasn't on purpose because it seems like sometimes  
17 the sound goes in and out, but that's what it  
18 looked like to me.

19 BY MR. JUBB:

20 Q Mr. Poulos, say whatever you need to say.

21 A To my best recollection, you walk down the main  
22 hallway, you take a left. You head down to the  
23 end of the corridor, and the door would have swung  
24 from -- it would have been hinged on the right  
25 side, if I remember correctly, meaning the rest of

1 the classroom went backwards or away from the  
2 hinges of the door.

3 Q Was the teacher's desk closest to the door?

4 A No. It was the furthest; so was the blackboard.

5 Q And in the back of the classroom, what was there?

6 A A brick wall.

7 Q And for that class --

8 A Wait, wait. When you speak about the back of the  
9 classroom, are you talking about the far back wall  
10 when you first come in --

11 Q Yes, sir.

12 A -- or where his desk was situated?

13 Q I'm referring to what you -- I was referring to  
14 what you considered the back of the classroom.

15 A I would consider the back of the classroom right  
16 where the door was if I recall correctly, and then  
17 it was a row of desks, and then it was the  
18 blackboard; and his desk, I believe, was situated  
19 in the right corner, so you would have had a  
20 walkway towards the blackboard, yeah.

21 Q And you said that this was in the basement of  
22 Upper School, correct?

23 A Basement, yeah. I mean, first floor was  
24 dormitory, so...

25 Q And down in this area of Upper School, there were

1 other classrooms as well as -- am I correct the  
2 language department down there, English  
3 department?

4 A Part of the English department was down there,  
5 yeah. I had my English class at the far end,  
6 which later turned into where I had theology and  
7 Shakespeare.

8 Like I said, my French class was --  
9 or French studies were somewhere in the middle of  
10 that row along the main corridor; and this --  
11 again, I wish I had, like, a situation where I  
12 could say east, west, north, south, but I don't.

13 It was just if you came in from  
14 this side, the main corridor is on your left. If  
15 you came in from this side, the main corridor is  
16 on your right. So if I came in my sophomore or  
17 fourth form year, my French class would have been  
18 on my right, my geometry class would have been on  
19 my left down the corridor.

20 Q You mentioned your French class would have been on  
21 the right. You can recall where your French class  
22 occurred?

23 A The third or fourth classroom on the right coming  
24 in from the fourth form dormitory side of Upper  
25 School.

1 Q And were there windows in that classroom?

2 A Yeah, because it faced the alley -- well, we  
3 had -- behind Upper School, there was a driveway.  
4 On the other side of Upper School was built into  
5 the hill, it was built into the land. So there  
6 was nothing there.

7 Like you could walk up to the front  
8 of Upper School, you'd see two doors, one to take  
9 you up to the third floor, one to take you up to  
10 the fourth form, but there was no exposure to what  
11 was underneath it from that side of the building  
12 facing the quad. On the other side of the  
13 building was a brick alleyway.

14 Q And at any other point in time, did you have a  
15 class other than geometry in this classroom that  
16 you've described?

17 A No.

18 Q And of the students who were in there, am I  
19 correct you cannot recall who anyone's -- strike  
20 that.

21 Am I correct you cannot recall any  
22 student who was in that class with you?

23 A Not specifically, no.

24 Q What about generally?

25 A I mean, you showed me a bunch of people the other

1 day. There could be a possibility that one or two  
2 of them were attending class with me. But no, not  
3 to my recollection.

4 Q Did you have assigned seats?

5 A Not to my recollection.

6 Q Where would you usually sit?

7 A Knowing me, probably towards the back of the  
8 class.

9 Q Was there anything on the walls?

10 A Again, I believe it was a two-toned paint scheme.  
11 Everything was so muted. It was all tans and  
12 yellows, and there wasn't, like, a bright blue  
13 wall. It was just a classroom with really crappy  
14 lighting, pardon my French.

15 Q And my question was a little bit more geared  
16 toward decor. So, for example, behind you, you  
17 had something.

18 Was there any frames on the wall or  
19 photos, anything like that?

20 A Not to my recollection.

21 Q Was there ever an opportunity for students to  
22 evaluate their teachers after the year?

23 A Probably.

24 Q Would you have done that?

25 A I would have been generous.

1 Q Why is that?

2 A Because I was a legacy.

3 Q Aren't they anonymous?

4 A That's like saying that if you write your name  
5 down and you hand it to somebody who already  
6 knows your handwriting, can't pick it out of a  
7 lineup.

8 Even a layman knows what your  
9 handwriting looks like. It might not be  
10 scientific, but if they've been teaching you for  
11 months or a year, they're going to know who wrote  
12 what.

13 Q Who reviewed the evaluations --

14 A I have no --

15 Q -- to your recollection?

16 A I have no idea.

17 Q Do you know whether or not it would go to the  
18 supervisors?

19 A What supervisors?

20 Q Well, there would be a head of the math  
21 department, right?

22 A A dean of academics?

23 Q My question was, is there a head of the math  
24 department?

25 A I don't think there was. I believe there was a

1 dean of academics.

2 Q Who do you believe would be reviewing those  
3 evaluations?

4 A Whatever professor was most senior on campus, I  
5 would assume. So at the time it would have  
6 probably been Mr. Watson.

7 Q And in these evaluations, do you recall the  
8 procedure for how they were completed? In other  
9 words, was it like a survey of, you know, 1 to 5,  
10 A through F? Do you have any recollection of  
11 those?

12 A It would have probably been a numerical score with  
13 the ability to write something positive or  
14 negative in a bubble below, but you're 16 years  
15 old. That's the last thing you want to do when  
16 you could leave by finishing it as quickly as  
17 possible.

18 Q Do you believe that you just quickly completed a  
19 student evaluation for Mr. Ralston?

20 A I quickly completed every student evaluation of my  
21 teachers. It wasn't just him.

22 Q And in terms of the evaluation, you believe --  
23 strike that.

24 What do you believe you would put  
25 for your evaluation?

1 A 8 or 9s.

2 Q And at least according to your testimony, that  
3 would have meant that you had been sexually  
4 assaulted by Mr. Ralston at least 10 to 15 times  
5 throughout that year and you gave him an 8 or a 9  
6 on everything?

7 A As a teacher or as a human being?

8 Q My question was related to the student  
9 evaluations. Do you think you gave an 8 or a 9 on  
10 everything?

11 A Probably. Again, I did not want to stand out.

12 Q Why would you stand out if you had anything  
13 negative to say about Mr. Ralston on your  
14 evaluations?

15 A Because I was a legacy.

16 Q No, sir. My question was, why would you stand out  
17 if you had anything negative, whether it was less  
18 than an 8 or a 9, for Mr. Ralston?

19 A Asked and answered.

20 Q Do you believe that the evaluations were not  
21 anonymous?

22 A They weren't anonymous.

23 Q And so you have an understanding of them  
24 sufficient to recall that they actually were  
25 evaluations that you would write your name on; is



1           that right?

2       A     As I stated earlier, regardless if I wrote my name  
3           on it, there was a max of 490 students at our  
4           school. It's a small community. People learn  
5           each other's handwriting. There's no way any of  
6           that is anonymous.

7       Q     Do you believe that the headmaster had your  
8           handwriting memorized if you gave Mr. Ralston poor  
9           scores on his evaluation without writing your  
10          name?

11      A     I'm not going to speak about the headmaster. The  
12          headmaster spoke at my grandfather's funeral.  
13          He's --

14      Q     I want to talk about who's looking at the  
15          evaluations. You said --

16      A     I have no idea.

17      Q     -- it might have been Mr. Watson.

18                    You have no idea? Is that what you  
19          just said?

20      A     Mr. Doherty was my headmaster.

21      Q     For sophomore year?

22      A     Yes, freshman --

23      Q     So who do you believe --

24      A     -- year, sophomore year.

25      Q     Who do you believe your sophomore year would have

1           been the person reviewing the student  
2           evaluations?

3     A     The most senior member of the academic community,  
4           the most senior teacher, I would assume.

5     Q     And do you believe that person would have your  
6           handwriting memorized to know that it was your  
7           evaluation of Mr. Ralston?

8     A     I believe that if it got pulled out that I put him  
9           down as like a 1, it's going to go somewhere that  
10          somebody else is gonna notice my handwriting.

11    Q     Did you consider giving him a 4 or a 5?

12    A     I considered getting out of that classroom.

13    Q     Did you write that anywhere, do you believe, on  
14          your student evaluation?

15    A     I don't believe so.

16    Q     Would you ever recommend Mr. Ralston as a teacher  
17          to anybody else?

18    A     Hell no.

19    Q     At the time --

20    A     Now? Wait. Strike that.

21                       Are you asking if I would have  
22           recommended him then or if I would recommend him  
23           now?

24    Q     Then.

25    A     Then, probably. He was a good math teacher, but

1 he was a horrible human being.

2 Q In other words, if you had to make a  
3 recommendation to somebody about which math  
4 teacher to take, and one of them doesn't sexually  
5 abuse kids and the other one does, you were fine  
6 recommending Mr. Ralston to your colleagues?

7 A I was fine --

8 MS. DOUGHERTY: Objection.

9 BY THE WITNESS:

10 A I was fine --

11 THE WITNESS: What's your objection?

12 MS. DOUGHERTY: It's a form objection,  
13 the only type of objection I can make.

14 THE WITNESS: Okay.

15 MS. DOUGHERTY: I can explain the basis  
16 for it if Mr. Jubb wants to know, but I think he  
17 has to ask.

18 MR. JUBB: I need not know.

19 BY THE WITNESS:

20 A I'm not gonna finish answering that question. Go  
21 ahead.

22 BY MR. JUBB:

23 Q So you're not -- you're just not going to answer  
24 my question?

25 A I answered your question.

1 Q Mr. Poulos, if you had the option of recommending  
2 Mr. Ralston as a math teacher to one of your  
3 fellow students at the time who you are claiming  
4 sexually abused you as opposed to another math  
5 teacher, is it your testimony that you would have  
6 still recommended Mr. Ralston?

7 A I don't know.

8 Q In other words, you may recommend Mr. Ralston, who  
9 you claim sexually abused you at the time, or you  
10 just may not have recommended Mr. Ralston, who  
11 you're claiming abused you at the time; is that  
12 right?

13 A I don't recall. Like I said, I probably pushed  
14 through that -- that form just to get out of  
15 class. It wasn't like we got mailed them or  
16 emailed them. It was, okay, for the last five  
17 minutes, fill out this form, and then you can  
18 leave. I'm going to do everything I can to leave  
19 that classroom.

20 Q And do you recall the evaluations as to whether or  
21 not it even required handwriting or if you could  
22 just circle a bubble or circle a number?

23 A I do not.

24 Q Was there anything unusual about the way you  
25 circled numbers or made a checkmark that would

1 give your evaluation away?

2 A Again, I have no idea.

3 Q Were you using any special pens at the time or  
4 special pencils that your circle would look  
5 different than anybody else's?

6 A You want to know if I remember what pen I used?

7 Q I'm asking if there's any way that your student  
8 evaluation would differentiate you from anybody  
9 else.

10 A I guess in -- in retrospect, no.

11 Q At the time the dean of students for your sixth  
12 form year during the event that you've described  
13 of Mr. Ralston's car parking behind yours, was  
14 that Mr. Tearalaysen [phonetic]?

15 A I don't recall the name, but it could be.

16 Q You don't -- you don't recall the name of Chris  
17 Tearalaysen at all?

18 A Not offhand, no. I'd have to see a picture of  
19 him, and we might have called it -- yeah, no.  
20 Unless I see him, I don't know.

21 Q During the 1996 to 1997 school year, how would it  
22 occur for a student such as yourself to contact  
23 the dean of students if you needed to?

24 A I would guess we would just go to his office or  
25 send a piece of mail through the school's mail

1 system.

2 Q And you described the timing of this instance  
3 being a Saturday, correct?

4 A I believe so, yes. It would have been parents  
5 weekend.

6 Q Approximately what time was it?

7 A After dinner. I don't know.

8 Q And when you saw the car, what kind of car was it  
9 again?

10 A I believe it was a Subaru.

11 Q What color?

12 A I believe it was blue or tan or both.

13 Q Both. And when you saw Mrs. Ralston, did she come  
14 to the door? Did she invite you in?

15 A No. They didn't even open the door.

16 Q How did you talk to Mrs. Ralston?

17 A Through the door.

18 Q Oh, in other words -- I'm sorry. What was the  
19 door? Was it glass? Was it is a fully, you know,  
20 wooden door at all?

21 A I don't know if it was wood or metal. I'm  
22 guessing because it was -- I'm guessing now in the  
23 experience of life it would have been a metal fire  
24 door, but it was a solid door.

25 Q Were there any windows in that door that you could

1           communicate with Mrs. Ralston?

2     A     Just the peephole where she could see me, and I  
3           couldn't see them.

4     Q     And when you say "them," can you tell me what  
5           evidence you have based on your recollection that  
6           suggested that Mr. Ralston was -- was inside?

7     A     Because she said he was inside.

8     Q     Did she -- did she try and holler for him?

9     A     Not to my recollection. It was more of a --

10    Q     Did she say, Let me ask him what he says?

11    A     She may have.

12    Q     You said she was confrontational. How was she  
13           confrontational?

14    A     She was confrontational because she wouldn't just  
15           allow me to leave or go get him to actually  
16           address the situation; more like, We're going to  
17           talk about this in the morning. For now, take  
18           your ass upstairs.

19    Q     Was there ever -- again, to your recollection, was  
20           there ever a rule at the time that students were  
21           not allowed to park their car on campus for any  
22           time?

23    A     No, and that's irregardless.

24    Q     I think you meant regardless.

25                           And in any event, am I correct that

1 at that time, it would not be the faculty's  
2 obligation to enforce discipline? They would  
3 simply follow the rules, then report it to the  
4 dean; is that fair?

5 A Correct.

6 MS. DOUGHERTY: Objection. Move to  
7 strike.

8 THE WITNESS: Okay.

9 BY MR. JUBB:

10 Q You said correct to that last question?

11 A Yeah, because why would each individual teacher  
12 try and -- when I got in trouble for smoking off  
13 campus, I didn't get, like, grabbed by the  
14 teacher. He told somebody I was smoking off  
15 campus. So why go out of your way to become an  
16 enforcer of a rule that doesn't ultimately affect  
17 your life.

18 Q Is that how you felt about most teachers at the  
19 school if they had to give you a demerit or report  
20 you?

21 A No. I have no problem getting demerits.

22 Q You mentioned your fifth form year when you first  
23 got there. Were you going to live by yourself or  
24 were you going to have a roommate?

25 A I was going to have a roommate.



1 Q Do you recall his name?

2 A I do not.

3 Q Do you recall what he was known for at the school  
4 at that time?

5 A I believe he played hockey.

6 Q Was it Zach Brusko?

7 A There were so many hockey players. It could have  
8 been Zach. I don't...

9 Q Were you going to room with Zach your fifth form  
10 year?

11 A Again, you're throwing names at me I haven't  
12 thought about in 23, 25 years.

13 Q Okay. Well, I'm asking you to think about it now.

14 Were you going to room with Zach  
15 Brusko your fifth form year?

16 A Possibly.

17 Q Are there any other people that you considered you  
18 might have roomed with other than Zach Brusko to  
19 say possibly as opposed to yes?

20 MS. DOUGHERTY: Objection.

21 THE WITNESS: Go ahead, Candy.

22 MS. DOUGHERTY: There's no go ahead.

23 You can answer unless Mr. Jubb  
24 decides he wants to rephrase his question.

25 MR. JUBB: Yeah. I don't.

1 BY MR. JUBB:

2 Q Would you like me to rephrase it, Mr. Poulos?

3 A Did Zach Brusko play goalie for the hockey team?

4 Q No. That wasn't my question. My question was --

5 A Well, no. But that --

6 Q -- did you room --

7 (Zoom crosstalk.)

8 BY THE WITNESS:

9 A Can you stop talking over me for one second?

10 You seem to know more about my high  
11 school than I remember. So I'm asking you a  
12 question. Was Zach Brusko going to play goalie  
13 for the hockey team?

14 BY MR. JUBB:

15 Q I have no idea.

16 A Then how do you know his name?

17 Q Mr. Poulos, you need to answer my questions.

18 Your question was, were you going  
19 to room with Zachary Brusko your fifth form year?  
20 You said possibly.

21 And I'm asking you if there was  
22 anybody else that you contemplated rooming with  
23 that you're not able to either say yes or no, but  
24 possibly as to Zachary Brusko?

25 A If Zachary Brusko was going to be playing goalie

1 for the hockey team, then that would have been my  
2 roommate. If that's his name, cool. Do I  
3 remember his specific name? No.

4 Q Am I correct you would have chosen your roommate?

5 A Possibly.

6 Q And if you had chosen your roommate, that would  
7 have meant that you would have at least been  
8 friends with him the year before, right?

9 A To an extent.

10 MS. DOUGHERTY: Objection.

11 BY MR. JUBB:

12 Q Did Zach also live on your dorm in Upper School  
13 One East during your fourth form year?

14 A I don't remember.

15 Q I want to get the timeline down as to your  
16 correspondence with the school after you left.

17 Approximately what year do you  
18 believe you -- you said you blocked getting emails  
19 from the school. Approximately what year was  
20 that?

21 A I have no idea.

22 Q You mentioned that you had sent Mr. Drowne a  
23 message; is that correct?

24 A Yeah, because his Giants were playing my Packers  
25 in the playoffs. So I sent him a text message --

1 no. I called his apartment and just left a funny  
2 voice mail saying, you know, Game on, something  
3 along those lines.

4 Q And when you say you called his apartment, how did  
5 you get that number?

6 A I probably called the school switchboard.

7 Q When you say his Giants were playing your Packers,  
8 approximately what year was that?

9 A Early 2000s.

10 Q Was it a game -- strike that.

11 The fact that you were calling the  
12 school, getting a switchboard to get his apartment  
13 number, I imagine it wasn't some trivial game like  
14 a Week 6 game. It was probably -- was it a Super  
15 Bowl or a playoff game?

16 A It probably would have been a playoff game. We  
17 always had that camaraderie about sports,  
18 Mr. Drowne and I.

19 Q And Mr. Drowne was your hall master the fourth  
20 form year, right?

21 A Correct.

22 Q Were you close with him?

23 A Like I said, he had an open-door policy. He  
24 always was very welcoming to have us come over,  
25 order food, play Sega and hang out and feel like

1 kids as opposed to science experiments.

2 Q How often did you feel like a science experiment  
3 at the school?

4 A Every day.

5 Q You didn't see Matt Ralston every day, though,  
6 right?

7 A Every day that I had geometry. Every day -- you  
8 see everybody every day. You had no choice.

9 Q Is it your testimony that you felt like a science  
10 experiment every day?

11 A Everything you do there is on exhibit. So that's  
12 pretty much the definition of a science  
13 experiment.

14 Q Can you tell me, if you can, why every day at that  
15 school was a science experiment like you were on  
16 exhibit as opposed to, let's say, another boarding  
17 school?

18 A I couldn't speak for other boarding schools.

19 I can tell you that every major  
20 test, every major grade was posted in the main  
21 room by the mailboxes or across the hallway from  
22 the mailbox in Middle School building. So if you  
23 screw up, everybody knows you screwed up. So you  
24 are on exhibit like a science experiment.

25 Q In other words, your test at that time -- I'm

1 specifically talking about the fourth form year --  
2 you would get your results by them being posted  
3 near the mailroom; is that right?

4 A Yeah, directly across from the mail wall. There  
5 was a wall of mailboxes.

6 Then the main -- I don't know --  
7 switchboard lady, she sat in a window. There was  
8 a row of mailboxes. Across the way from that was  
9 a glass, you know, case that posted your grades.

10 Q Would they just be for your fourth form year or  
11 was that the same for your third, fourth and sixth  
12 form year?

13 A That was for every year.

14 Q And would you be able to see the grades on the  
15 tests for, let's say, a class you weren't even in?

16 A Yes.

17 Q And next to the grades, it would -- you're saying  
18 that it would have the person's name who got that  
19 grade?

20 A I believe so, yes. It's not like we had school ID  
21 numbers. It wasn't prison.

22 Q You believe so, but do you actually recall seeing  
23 that?

24 A I -- well, yeah, because, otherwise, how am I  
25 gonna look up my grades if I can't see my name?

1 Q Was there ever indication for a Social Security  
2 number used, last four digits?

3 A No, not to my recollection.

4 Q So am I correct, then, that your testimony is that  
5 throughout the year when grades would come out for  
6 tests, every class would post every person's name  
7 on this board, and every person in the school  
8 could see who's getting what grade?

9 A For the most part, I remember so, yes.

10 Q And when you contacted Mr. Drowne, did he ever get  
11 back to you?

12 A No. I wasn't expecting him to.

13 Q By that point in time, had you blocked the school  
14 from sending you emails?

15 A No. I started blocking them because all they ever  
16 do is ask for money.

17 Q Okay. And I'm just trying to figure out the  
18 timing of this because you said that you couldn't  
19 recall.

20 So you said that Mr. Drowne's  
21 correspondence was in early 2000s. So following  
22 that, at some point -- well, let me ask you this.  
23 Did you have email as of 1997 when you were at the  
24 school?

25 A I don't believe so, no.

1 Q Did you ever have any occasion to email Mr. Drowne  
2 or anybody else at the school?

3 A Did I have occasion or did I actually do it?

4 Q Did you ever?

5 A No, not to my knowledge.

6 Q And you referenced the emails that were asking for  
7 money. Did you ever get emails from the school  
8 just with updates about what's going on?

9 A Yeah. You get an update, like, once a month what  
10 they're doing, what they're building, can you give  
11 us money so we can build more, asking --

12 Q At any point --

13 A -- for donations.

14 Q I'm sorry to interrupt you. Please continue.

15 A I'm done.

16 Q Did you ever receive any invitation to come to any  
17 reunion weekends?

18 A Probably my 10th anniversary weekend or 10-year  
19 anniversary weekend.

20 Q Did you go to that?

21 A No.

22 Q Did you ever go to your 5-year anniversary  
23 weekend?

24 A Nope.

25 Q What about your 15th?



1 A Nope.

2 Q Did you ever get invited?

3 A It's a general invite to all alumnus.

4 Q When you say "all alumnus," what do you mean by  
5 "all alumnus"?

6 A All alumnus for that class year are going to get  
7 invited from the alumni -- there's an actual  
8 alumni building. That's all they do is reach out  
9 to alumnus.

10 Q And you mentioned to Ms. Dougherty that you wrote  
11 a check for 97 cents; is that right?

12 A I believe so, back in the day.

13 Q What year was that?

14 A I have no idea. It would have been a joke.

15 Q I'm aware that it would have been a joke.

16 Did you write it from your own bank  
17 account or from somebody else's?

18 A From my own bank account.

19 Q Was this donation solicited or was this out of the  
20 kindness of your heart sua sponte?

21 A Solicited.

22 Q If you could approximate for me when you believe  
23 this donation would have been. Would this have  
24 been in the early 2000s? Late 2000s?

25 A Early 2000s, maybe late '90s.

1 Q Did your family ever make any donations?

2 A Of course.

3 Q Were you privy to those?

4 A To the amount or the fact that we made them?

5 Q Both.

6 A Not the amount, but the fact that we made large  
7 donations.

8 Q How often after you graduated were there large  
9 donations that were made from your family?

10 A I would guess my grandmother would donate at least  
11 once a year.

12 Q And did you ever have any discussions with her  
13 about, you know, hey, maybe you should stop doing  
14 this?

15 A No, because I didn't want her to know.

16 Q Could you ever think of a way to express your  
17 displeasure with the school without ever  
18 describing like what you've described as sexual  
19 abuse?

20 A No.

21 Q Now, tell me when you first started talking  
22 with -- with Emily, your ex-girlfriend.

23 A I got invited to go to Lawrenceville weekend  
24 through an email from the school to all alumnus,  
25 and she wanted to know why I basically was not

1 going to participate when I lived only a few hours  
2 away in Connecticut.

3 Q And you said you got an email. Was she over your  
4 shoulder looking at your computer?

5 A She may have been. My -- at that point, I was  
6 living in Orange, so my computer was in the living  
7 room area. So basically anything you did on the  
8 computer was going to be seen by anybody in that  
9 room.

10 Q And so your then girlfriend Emily saw this email  
11 and started asking you, Gee, why aren't you going  
12 to go to the reunion, something to that effect?

13 A Basically, yeah. It was Lawrenceville --

14 Q What had she known about this -- go ahead.

15 A It was Lawrenceville weekend, which was a -- it  
16 is, I would assume, still a giant weekend of  
17 events on campus, bonfires, bussing students in so  
18 that we can play sports all weekend.

19 Q Did Ms. Peters know what Lawrenceville weekend was  
20 before overseeing this email that you received?

21 A I may have mentioned it. I don't remember.

22 Q In other words, Ms. Peters was aware of the  
23 significance of Lawrenceville weekend in order to  
24 ask you, you know, Hey, why aren't you going to go  
25 to this? Is that fair?

1 A Probably. I did speak in length with her about my  
2 experience at that school and what Lawrenceville  
3 weekend was.

4 Q How long were you in a relationship with  
5 Ms. Peters?

6 A Almost two and a half years.

7 Q And then at some point it's your testimony that  
8 you received one of the emails from the school,  
9 the April of 2016 email, and she oversaw that  
10 too? Is that right?

11 A Those would have been emails I would have printed  
12 out. Whether I left them in my printer, could  
13 have been. There was a lot going on at the time.

14 Q Like what?

15 A Life in general.

16 Q And what did you specifically tell Ms. Peters  
17 about your time at the school?

18 A Prior to that?

19 Q No. When you say that she must have seen them on  
20 the printer?

21 A I'm assuming or -- I would assume she would have  
22 just asked what is this in reference to, to a  
23 degree.

24 Q And you decided to tell her the story of your  
25 alleged sex abuse; is that correct?

1 A I had to start talking to the person that I was  
2 going to be hopefully marrying about what had  
3 happened to me, yes.

4 Q How did she react?

5 A She was mortified.

6 Q How was your relationship at that point?

7 A Fine.

8 Q Was there ever any domestic violence issues?

9 A Yeah.

10 Q Did you have to press any charges against her?

11 A I never would have.

12 Q Were the domestic violence charges related to you?

13 A Yeah. They called -- like I said, I got a  
14 disorderly conduct ticket for yelling.

15 Q You were yelling, and that gave you a disorderly  
16 conduct ticket?

17 A The police did not like my demeanor.

18 Q Did you try and fight a cop?

19 A Not to my recollection.

20 Q Approximately what time was this? What year?

21 A I have no idea. What year?

22 Q Yes, sir.

23 A 2016.

24 Q Early 2016 or late 2016?

25 A Middle of 2016.

1 Q What had transpired in approximately June of 2015  
2 that you discussed your allegations of sexual  
3 abuse with your mom?

4 A I said June of 2014, not 2015.

5 Q Forgive me.

6 What transpired in June of 2014  
7 that made you reveal your allegations of sexual  
8 abuse to your mom?

9 A I was sick of living a lie.

10 Q Did you have any run-ins with the law?

11 A Then?

12 Q Yes, sir.

13 A I believe so, yes, again, for drunk and  
14 disorderly.

15 Q How did your mom react to the drunk and  
16 disorderly?

17 A She didn't want to be around me.

18 Q After you had contact with Mr. Garabedian  
19 initially, it's my understanding that there was a  
20 time where you'd go outside, you have the 2017  
21 letter, you forward that to your mom; your mom  
22 says, Let me look into this, don't contact these  
23 people, they're lawyers; and then shortly  
24 thereafter, there's contact with Mr. Garabedian.

25 With that as the background, can

1           you tell me what, if anything, was discussed with  
2           your mom as opposed to simply sending the letters  
3           to her?

4     A     Yeah. I called her and told her that I got the  
5           email. I've asked and answered this same  
6           question.

7     Q     Is there anything else you can recall about the  
8           discussions with your mom as they pertain to the  
9           April 2016 or November of 2017 letters that you  
10          haven't already discussed with us in your prior  
11          testimony with Ms. Dougherty questioning you?

12    A     No.

13    Q     You discussed a fee agreement with Mr. Garabedian  
14          with Ms. Dougherty and your understanding of what  
15          that percentage would be.

16                               Did you ever sign a fee agreement?

17    A     You have every single document that I've ever  
18          signed, so...

19    Q     In other words, if I don't have a fee agreement,  
20          then you didn't sign it, right?

21    A     If there was a fee agreement, I signed it.

22    Q     Well, do you recall signing a fee agreement?

23    A     I remember signing like 40 documents, which all  
24          of -- all of which you have.

25    Q     Are you referring to the documents I showed you?

1 A Yes.

2 Q Okay. I'll represent to you I showed you what's  
3 known as the HITECH letters and the  
4 authorizations. So my question is a little bit  
5 different with just respect to the contingent fee  
6 agreement. Is it your understanding that of all  
7 the documents I showed you, that's everything you  
8 signed?

9 A To my recollection unless I go in my office and  
10 start pulling out every single piece of paper.

11 Q Let's not do that just yet.

12 But as you sit there, do you recall  
13 reading through a contingent fee agreement that  
14 says he represents you, here's what his fee's  
15 going to be, you know, if we aren't successful,  
16 we'll get you -- you know, we'll eat all the  
17 costs, anything like that, or was it just a verbal  
18 agreement?

19 A No. I believe there would have been some sort of  
20 payment agreement.

21 Q And when you say you believe there would have  
22 been, my question is, do you recall signing one?

23 A No.

24 Q Thank you.

25 To the extent that you did and you



1           just don't recall it, is that something you would  
2           have maintained in one of those folders that you  
3           described as important documents?

4     A     Yes.

5     Q     I asked you what type of dog Clifford was, and you  
6           told that to me. When did you get him?

7     A     January 15th, 2020.

8     Q     You refer to him as a service dog. Did a mental  
9           health professional prescribe to you Clifford?

10    A     No. We went through training together to get him  
11          certified. Do you want to see his certification?

12    Q     I don't think that's necessary.

13                                 And when did you go through the  
14          training?

15    A     February.

16    Q     Who, if anyone, advised you to get a dog?

17    A     Me, myself and I.

18    Q     During your discussion with Ms. Dougherty, you  
19          stated that going through that letter --

20    A     Which letter?

21    Q     The only document she showed you today. With  
22          respect to the December 26, 2017, letter, the  
23          question was --

24                                 MS. DOUGHERTY: Objection. I think you  
25          mean 2018.

1 MR. JUBB: Forgive me. Strike that.

2 BY MR. JUBB:

3 Q During the time that Ms. Dougherty went through  
4 the December 26, 2018, letter, she had asked you  
5 whether or not the information in the letter you  
6 provided to Mr. Garabedian, and you said yes.

7 Do you recall saying that?

8 A Yes.

9 Q When did you provide him that information?

10 A I believe during our initial interview.

11 Q Which was when?

12 A November, December of 2017.

13 Q And was this that conference call where there was  
14 another person on the line as well?

15 A Correct.

16 Q Following that initial interview by phone in 2017,  
17 do you recall having any discussions with  
18 Mr. Garabedian after April of 2018?

19 A Any conversations or specifics?

20 Q Just any conversation with him.

21 A Yeah, check-ins.

22 Q Would he call you personally or someone from his  
23 office?

24 A He would typically call me in response to my  
25 leaving a voice mail.

1 Q In other words, you would leave a voice mail and  
2 say, Hey, what's going on? And then he would  
3 respond back?

4 A Correct.

5 Q When he would respond back, do you recall a time  
6 where you actually spoke with him or was it just a  
7 phone tag via voice mail?

8 A No. We would speak.

9 Q And in those discussions, did he ever have you  
10 provide any sort of written statement to him?

11 A Not to my recollection.

12 Q Did he ever ask you for any supporting  
13 documentation?

14 A Not to my recollection.

15 Q Did he ever ask you for any of your medical  
16 records?

17 A Possibly.

18 Q What do you recall about that request?

19 A That I would have allowed him to speak to or  
20 receive documents from Dr. Grade.

21 Q I'll represent to you that you didn't go to  
22 Dr. Grade until approximately May of 2018.

23 Did you provide him any sort of  
24 notes for any providers before then?

25 A No.

1 Q How did you learn of Dr. Grade?

2 A Again, he's one of the most prominent  
3 psychiatrists in the city, and my mom wanted me to  
4 go see a great doctor. So we had a family friend  
5 who knew him recommend me.

6 Q When you first spoke with Dr. Grade, did your mom  
7 join you?

8 A No. She's never joined me in any capacity.

9 Q When you say the family friend, was that Barry  
10 Blackwell?

11 A Yes. It was Barry Blackwell.

12 Q How long have you known Barry Blackwell?

13 A Since I was in first grade.

14 Q What does Barry Blackwell do?

15 A He was a psychiatrist.

16 Q Did you ever see Barry Blackwell for any  
17 psychiatric treatment?

18 A No, I did not.

19 Q And what was it that you discussed with  
20 Mr. Blackwell for him to recommend you to  
21 Dr. Grade?

22 A I just -- again, you know, the situation is these  
23 people have known me since I was four, five, six  
24 years old. They've seen how it affected my life,  
25 how I changed. It's not like he didn't know.

1           That's his profession. I wanted to --

2     Q     Are you saying that Mr. Blackwell --

3     A     Can I please --

4     Q     -- determined that --

5     A     You know what?

6                     MS. DOUGHERTY: Objection.

7                     THE WITNESS: If you're gonna keep  
8     interrupting me --

9                     MS. DOUGHERTY: He needs to finish his  
10    answer.

11                    THE WITNESS: -- I'm just gonna get off  
12    the fuckin' thing.

13                    MR. JUBB: I'm trying to --

14                    THE WITNESS: You keep talking -- you  
15    know what? I'm done, I'm done, I'm done.

16                    MR. JUBB: Mr. Poulos, are you still  
17    there? The time is now 1:07 Eastern.

18                    THE VIDEOGRAPHER: Do you wish to go off  
19    record?

20                    MS. DOUGHERTY: We can go off the video,  
21    but -- why don't we take a break. I can try to  
22    call Mr. Poulos or I can try to call --

23                    MR. JUBB: No. That's okay. I don't  
24    need you to have any contact with him. He's -- he  
25    doesn't want to come back. It's now 1:07. I

1 still have a couple of questions, so...

2 MS. DOUGHERTY: Okay. Well, some -- if  
3 we were in -- if we were in person, as you know,  
4 sometimes witnesses decide that they're going to  
5 take a break and don't, you know, get in their car  
6 and drive away.

7 I'm not clear whether he's taking a  
8 break and not intending to come back or what. So  
9 that was -- I can -- I think I might have a  
10 telephone number for him. I can call him on  
11 speakerphone, and we can confirm whether he's  
12 coming back or not. I wasn't trying to suggest  
13 anything untoward. I just --

14 MR. JUBB: Yeah. Why don't you call him  
15 on speaker.

16 MS. DOUGHERTY: Okay. Let me see if I  
17 have a number for him unless you have one.

18 THE VIDEOGRAPHER: Do you wish for me to  
19 go off record or stay on?

20 MR. JUBB: I think you should stay on.

21 MS. DOUGHERTY: Well, do we need the  
22 video for this?

23 MR. JUBB: I think we do, yes.

24 MS. DOUGHERTY: Whatever. I don't care.  
25 It doesn't matter. Let me see.

1 THE VIDEOGRAPHER: He has logged off the  
2 meeting now.

3 MS. DOUGHERTY: I thought we had to fill  
4 out a sheet for the Court for the conference call  
5 that had everybody's number on it, but I'm not  
6 finding it in my system.

7 MR. JUBB: I have a number, I'm sure,  
8 somewhere.

9 I have a phone number.

10 MS. DOUGHERTY: All right. Do you want  
11 to try?

12 MR. JUBB: Why don't you try this.

13 MS. DOUGHERTY: Okay. I can.

14 MR. JUBB: (262)330-4604.

15 MS. DOUGHERTY: (262)330-4604, right?

16 MR. JUBB: Yeah.

17 MS. DOUGHERTY: Okay. Can you hear the  
18 ringing?

19 THE WITNESS: Hello?

20 MS. DOUGHERTY: Hi, Mr. Poulos. This is  
21 Candy, and you're also on speakerphone, so  
22 Mr. Jubb, the court reporter and videographer can  
23 hear you.

24 Can you please log back onto the  
25 meeting?

1 MR. JUBB: Candy, can you put him up to  
2 your microphone because I'm having a hard time  
3 hearing?

4 MS. DOUGHERTY: He's not said anything.  
5 I asked my question.

6 MR. JUBB: Okay.

7 MS. DOUGHERTY: And I'm sorry? Are you  
8 logging back in, Mr. Poulos?

9 THE WITNESS: Yeah.

10 MS. DOUGHERTY: Okay. He's -- all  
11 right. I'm going to hang up, and then we'll just  
12 wait for you to join the meeting again. Okay?

13 THE WITNESS: Yep.

14 MS. DOUGHERTY: Could you hear he said  
15 yeah, yep, yep?

16 MR. JUBB: Yep.

17 MS. DOUGHERTY: Okay. We never went off  
18 the record, right?

19 THE COURT REPORTER: Correct.

20 THE WITNESS: Sorry for my outburst.

21 MS. DOUGHERTY: Okay. Well, just to --  
22 to be fair, it's not wrong that Mr. Jubb shouldn't  
23 interrupt your answer when you're answering, just  
24 like you shouldn't interrupt his question. I  
25 don't think it was intentional because, at least



1 from my perspective, sometimes the sound goes in  
2 and out.

3 So we'll give Mr. Jubb the benefit  
4 of the doubt that it's the technology, and he  
5 wasn't purposely trying to interrupt you. But if  
6 it does occur, you should just alert Mr. Jubb and  
7 then finish your answer; just like if you  
8 interrupt Mr. Jubb's question, he should let you  
9 know, and he should finish his question.

10 So I really don't remember what the  
11 last question was, but I do know that you weren't  
12 done with your answer, Mr. Poulos. So maybe it  
13 makes sense to read the question and answer back.

14 MR. JUBB: Please.

15 (Record read as follows:

16 "QUESTION: And what was it that you  
17 discussed with Mr. Blackwell for him to  
18 recommend you to Dr. Grade?

19 "ANSWER: I just -- again, you know,  
20 the situation is these people have known  
21 me since I was four, five, six years  
22 old. They've seen how it affected my  
23 life, how I changed. It's not like he  
24 didn't know. That's his profession. I  
25 wanted to --"

1 BY MR. JUBB:

2 Q Mr. Poulos, would you like to continue your  
3 answer?

4 A No.

5 Q What was it that made Mr. Blackwell refer you to  
6 Dr. Grade?

7 A Because Dr. Blackwell helped train Dr. Grade.

8 Q And what was it that you told Dr. Blackwell that  
9 would indicate to him that you should see  
10 Dr. Grade, who he had trained?

11 A The fact that he knew I went through a traumatic  
12 experience.

13 Q And tell me how he knew that.

14 A Because he went through a similar experience.

15 Q Did you tell him you went through a traumatic  
16 experience?

17 A Yes, without specifics.

18 Q When did you tell him that?

19 A At a meeting at his apartment.

20 Q When was this?

21 A I would say May of 2018.

22 THE WITNESS: Sit, sit.

23 BY MR. JUBB:

24 Q Am I correct that you had already contacted  
25 Mr. Garabedian before you ever had any discussion

1 with Mr. Blackwell?

2 A Correct.

3 THE WITNESS: It's okay.

4 BY MR. JUBB:

5 Q Was there anything that occurred in the November  
6 2017 time frame as it pertained to you and any  
7 sort of criminal charges?

8 A No.

9 Q Was there anything between April of 2016 and  
10 November of 2017 that pertained to you and  
11 criminal charges?

12 A Not to my recollection, no.

13 Q When did you break up with Emily?

14 A End of June 2018.

15 Q And you believe --

16 A What does this have to do with any of this?

17 Q Bear with me.

18 You believe you broke up with Emily  
19 after you had contacted Mr. Garabedian; is that  
20 right?

21 A Well after.

22 Q Was there anything that occurred, an incident at  
23 home, around the 2017 time frame?

24 A No.

25 Q Who is Dr. Gudeman?

1 A How is that relevant?

2 Q Is he a psychiatrist, sir?

3 A I believe so. He's also a family friend.

4 Q Well, I had asked you previously if you had ever  
5 had any sort of psychiatric treatment, and I  
6 believe your recollection did not include any  
7 reference to Dr. Gudeman, and so I'm following up  
8 on that.

9 With respect to Dr. Gudeman, you  
10 mentioned that he's a mental health professional  
11 but also a family friend. Do you still talk with  
12 Dr. Gudeman?

13 MS. DOUGHERTY: Objection.

14 BY THE WITNESS:

15 A I haven't seen Dr. -- go ahead.

16 MS. DOUGHERTY: I said objection.

17 MR. JUBB: He's waiting for you to tell  
18 him he can answer, Candy.

19 MS. DOUGHERTY: Okay. My objection is  
20 to the commentary about prior testimony.

21 THE WITNESS: Clifford.

22 BY THE WITNESS:

23 A I haven't seen the man in 20-plus years.

24 BY MR. JUBB:

25 Q What's your last recollection of speaking with

1 Dr. Gudeman?

2 A I don't recall my recollection with Dr. Gudeman.

3 Q How long did Dr. Gudeman treat you?

4 A Not long.

5 Q Was this in the early 2000 time frame?

6 A It would have been before September 11th.

7 Q And when you say, "it would have been before  
8 September 11th," you're saying that would have  
9 been before September 11th, 2001; is that right?

10 A Yeah, because that date doesn't stick out any  
11 other year.

12 Q And do you recall why you were receiving treatment  
13 from Dr. Gudeman?

14 A For depression.

15 Q And do you recall approximately how many times you  
16 saw him?

17 A No.

18 Q Where would you see him?

19 A He had a practice at his house.

20 Q And when you went to go see him, am I correct you  
21 did not relay any allegation of sexual abuse that  
22 occurred at The Hill School?

23 A No, I did not.

24 Q You mentioned that Mr. Ralston was one of your  
25 table heads your third form year. Who were your

1 other table heads the third form year?

2 A I can only remember Mr. Ruth because he wouldn't  
3 let us eat pizza with our hands.

4 MS. DOUGHERTY: I'm sorry. Did you say  
5 third form year?

6 MR. JUBB: Yes.

7 MS. DOUGHERTY: Okay. Thank you.

8 BY MR. JUBB:

9 Q What about your fourth form year?

10 A I couldn't tell you.

11 Q Am I correct that the way it worked back then, if  
12 you were on a varsity sport team, you would sit at  
13 a table with the coaches?

14 A Not to my recollection.

15 Q Am I correct that given the rotating tables, you  
16 would have had six different table heads during  
17 your sophomore year?

18 A Sounds about right.

19 Q You would have had six different table heads for  
20 your senior year?

21 A When I attended meals, yes.

22 Again, I was never really at the  
23 meals. So it didn't matter who my head -- who the  
24 table master was, I wasn't gonna stay.

25 Q And it's your testimony that in the 1996 to 1997

1           time frame, as a senior, you could just show up,  
2           sit down, hear announcements and leave; is that  
3           right?

4     A     Yes.

5     Q     And of the six table heads who you were assigned  
6           to, all of them allowed that; is that right?

7     A     Yes, to my recollection.

8     Q     Do you recall who they were?

9     A     No.

10    Q     Have you ever been diagnosed with any sort of  
11          condition like bipolar disorder?

12    A     No.

13    Q     Has your father?

14    A     I have no idea. I haven't spoken to the man in 20  
15          years.

16    Q     Has your mom?

17    A     No. And don't bring my mother into this.

18    Q     Have you ever relayed that to any of your medical  
19          providers, that you believe any of your family  
20          members may have been bipolar?

21    A     No.

22    Q     Did you ever relay that they had any sort of  
23          problems with alcohol abuse or substance  
24          dependency?

25    A     No. This is slut shaming 101 basically.

1 Q What did you refer to it as?

2 A Don't -- doesn't matter.

3 MS. DOUGHERTY: Well, I think in the  
4 legal world it's called not relevant, but...

5 BY MR. JUBB:

6 Q When did you start reading emails from the school  
7 again?

8 A I don't know.

9 Q 2015?

10 A I just said I don't know.

11 Q I'm trying to figure out if we can get a little --

12 THE WITNESS: Whose horn is going off?

13 MS. DOUGHERTY: It's not outside my --

14 BY MR. JUBB:

15 Q If you were trying to talk, I couldn't hear you.

16 A I just said I don't know, so why ask the same  
17 question.

18 Q I'm trying to figure out if we can pinpoint --  
19 it's not the same question.

20 So I'm trying to figure out if we  
21 can get a little closer than "I don't know," for  
22 example, an approximation. So we know you got an  
23 email in April of 2016, right?

24 A Correct.

25 Q And we also know that you initially signed up with



1 the school, whenever email came out, to receive  
2 email, correct?

3 A Correct.

4 Q Okay. And so as you sit here today, the best you  
5 could do to approximate for us when you blocked  
6 the school is when email first came out when you  
7 first started getting emails from them and 2016?  
8 Somewhere in there, that's the best that you can  
9 do for your recollection; is that correct?

10 A Correct.

11 MR. JUBB: That's all I have for right  
12 now.

13 FURTHER EXAMINATION

14 BY MS. DOUGHERTY:

15 Q I just have some follow-up.

16 Mr. Poulos, you were using the term  
17 "table master," and Mr. Jubb was using the phrase  
18 "table head." Is there a difference between the  
19 two?

20 A It's the same thing.

21 Q I think you previously mentioned that there were  
22 two faculty members at your table or at the tables  
23 in the dining hall. Was one faculty member the  
24 head over the other or were they both -- both  
25 faculty members at a table considered the table

1 master or table head?

2 A Each table was 16 students, one teacher on either  
3 end; each teacher took care of eight students.

4 Q Thanks. Did you identify Matthew B. Ralston by  
5 name as a teacher who sexually abused you to  
6 Mr. Garabedian?

7 A Yes.

8 Q Did you identify Matthew B. Ralston by name as the  
9 teacher who sexually abused you to Mr. Garabedian  
10 during the initial interview in November or  
11 December 2017?

12 A I believe so, yes.

13 MS. DOUGHERTY: Those are my questions.

14 MR. JUBB: Thank you for that follow-up.

15 FURTHER EXAMINATION

16 BY MR. JUBB:

17 Q So I want to talk about those discussions a bit  
18 more. In these discussions you had with  
19 Mr. Garabedian where you identified Mr. Ralston,  
20 did you identify him without being questioned or  
21 did Mr. Garabedian ask you for the name?

22 A He asked me for the name.

23 Q And at that time, was it is your understanding  
24 that Mr. Ralston was no longer at your school?

25 A Correct.

1 Q Did you tell Mr. Garabedian that?

2 A I don't know.

3 Q Did he ask?

4 A I don't know.

5 Q When he asked you any more details about  
6 Mr. Ralston or -- strike that.

7 In these conversations, did you  
8 ever relay to Mr. Garabedian that anybody else had  
9 any sort of alleged experience like you had with  
10 Mr. Ralston?

11 A I don't believe so, no.

12 MR. JUBB: Those are all the questions I  
13 have. Thank you.

14 MS. DOUGHERTY: Nothing further for me.

15 THE VIDEOGRAPHER: If there's nothing  
16 else, this concludes the deposition of Kurtis  
17 Poulos. The time on the screen is 12:28, and we  
18 are now off record.

19 (Proceedings had off the video record:)

20 MS. DOUGHERTY: Can we stay on the  
21 stenographic record for a moment?

22 THE COURT REPORTER: Yes.

23 MS. DOUGHERTY: Mr. Jubb, I just want to  
24 address what we had discussed during a break, I  
25 don't remember which day, about the handling of

1 the transcript, just to make sure that Mr. Poulos  
2 also agrees.

3 Mr. Poulos, the suggestion to  
4 address the several days of the transcript of your  
5 testimony is that if the transcript is going to be  
6 publicly disseminated or filed like with the Court  
7 in a motion, something like that, that any names  
8 are redacted from the transcript; and the idea  
9 behind that is that we can avoid sealing the  
10 entire transcript, but also maintain the  
11 confidentiality of people involved.

12 Is that something that is okay with  
13 you and that you will agree to, Mr. Poulos?

14 THE WITNESS: State that again.

15 MS. DOUGHERTY: Sure. The suggestion on  
16 addressing the -- well, let me say it this way.

17 During the past several days of  
18 your testimony, you've identified, in particular,  
19 Mr. Ralston by name, who is not identified in any  
20 of the pleadings by name; you've identified The  
21 Hill School, which is also not identified by name  
22 in any of the pleadings; and a number of other  
23 teachers and classmates, none of whom are  
24 identified by name in any of the pleadings.

25 One option to address that

1 situation to maintain the confidentiality of  
2 people's identities is to put all of the  
3 transcripts under seal, which means that anytime  
4 anyone wants to use the transcripts with a Court  
5 filing, something of that nature, a special motion  
6 needs to be filed and the material needs to be  
7 filed under seal, it's called.

8 An alternative short of that, short  
9 of putting all the transcripts under seal, is an  
10 agreement among the parties that if at any time  
11 one of the parties wants to disseminate the  
12 transcript publicly or use it in a public filing,  
13 if the part that is being used identifies someone  
14 by name, that we agree to redact or black out the  
15 person's name.

16 You might recall the complaint in  
17 this action has the two letters, the April and  
18 December letter attached, but blacks out  
19 Mr. Ralston's name and the school's name. So  
20 that's what we're referring to by "redacting."

21 So just to give an example, if I  
22 wanted to file a motion tomorrow that related in  
23 some way to your testimony, and I wanted to attach  
24 your testimony to my motion and file it with the  
25 Court, which is a public filing, if part of your

1 testimony included Mr. Ralston's name, then I  
2 would black out his name, and I would do that by  
3 agreement; and then I'd probably have to also give  
4 the Court a copy that was unredacted separately  
5 just to chambers including all the parties.

6 So Mr. Jubb and I have agreed on  
7 behalf of our respective clients, you know,  
8 between us, subject to your agreement, that rather  
9 than putting the transcript or portions of the  
10 transcript under seal, that we'll agree to redact  
11 people's name from public consumption if the  
12 transcript is distributed to the Court, similar to  
13 the letters that were attached to the complaint by  
14 Mr. Ralston.

15 So do you understand what we're --  
16 at least at the moment what I'm asking you,  
17 Mr. Poulos?

18 THE WITNESS: Yeah. Just redact the  
19 names.

20 MS. DOUGHERTY: Right. Is that  
21 acceptable to you?

22 THE WITNESS: Yes.

23 MS. DOUGHERTY: Okay. All right.

24 Mr. Jubb, that's still your  
25 agreement, right?

1 MR. JUBB: That's fine.

2 MS. DOUGHERTY: I just don't think we  
3 actually put it on the record. We talked about it  
4 on a break.

5 Okay. So then that will save the  
6 three different court reporters from needing to go  
7 through and redact or make adjustments to the  
8 transcript since the parties have agreed to do  
9 that.

10 MR. JUBB: Okay. Thank you.

11 MS. DOUGHERTY: Are you going to find  
12 out if he wants to read and sign since he's pro  
13 se?

14 MR. JUBB: Mr. Poulos, once these  
15 transcripts come back, Ms. Dougherty and I will  
16 send them to you. You're welcome, and we  
17 encourage you, for whatever it's worth, to read  
18 them; and if there's any sort of names that are  
19 misspelled or sometimes words, when phonetically  
20 sounded out, will separate into two words, and in  
21 reality they're one.

22 I'll give you an example. If the  
23 testimony is the phrase "step on," and sometimes  
24 it's actually spelled "Steffen," that would be an  
25 example of you reading your testimony and saying,

1           you know, that's not correct; and so if -- you  
2           would have the opportunity, if you want, to read  
3           it. It's called read and sign.

4                       So you can determine on your own  
5           after you consult with whoever you need to consult  
6           with if you want to do that. But we'll send that  
7           to you, and you're welcome to do it. Okay?

8                       THE WITNESS: Fair enough.

9                       MS. DOUGHERTY: And if you -- what  
10          Mr. Jubb is referring to about correcting  
11          typographical or, you know, record typographical  
12          errors, you would file an errata sheet that is  
13          attached to the transcript.

14                      THE WITNESS: I'll figure it out.

15                      MS. DOUGHERTY: Okay. Unless we need  
16          anything else, I don't have anything further.

17                      MR. JUBB: And Ms. Harnen, just etran is  
18          fine with the exhibit as a PDF.

19                      THE COURT REPORTER: Just the exhibit  
20          that was shown?

21                      MR. JUBB: Yes.

22                      MS. DOUGHERTY: Yes. Email PDF is fine  
23          for me. I'll send you the one that I showed on  
24          the screen just because I marked it as D-4, unless  
25          you have a different opinion, Mr. Jubb.



1 MR. JUBB: No. That's fine.

2 MS. DOUGHERTY: Thank you, Mr. Poulos,  
3 for rejoining after earlier today.

4 So now your deposition is over.

5 THE WITNESS: Okay.

6 MS. DOUGHERTY: You can leave now.

7 (Proceedings concluded at 12:35 p.m.)  
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Kurtis Nicholas Poulos

1 STATE OF WISCONSIN )  
 ) SS:

2 COUNTY OF MILWAUKEE )

3 I, Debbie A. Harnen, a Registered  
4 Professional Reporter and Notary Public in and for the  
5 State of Wisconsin, do hereby certify that the  
6 deposition of KURTIS NICHOLAS POULOS was reported by me  
7 and reduced to writing under my personal direction.

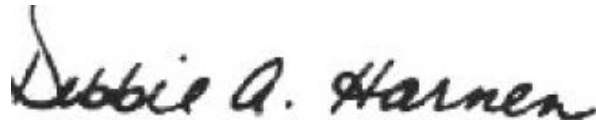
8 I further certify that said deposition  
9 was taken VIA ZOOM VIDEOCONFERENCE, on November 24,  
10 2020, commencing at 10:00 a.m. and concluding at  
11 12:35 p.m.

12 I further certify that I am not a relative  
13 or employee or attorney or counsel of any of the  
14 parties, or a relative or employee of such attorney or  
15 counsel, or financially interested directly or  
16 indirectly in this action.

17 In witness whereof, I have hereunto set my  
18 hand and affixed my seal of office at Milwaukee,  
19 Wisconsin, on November 30, 2020.

20

21



22

Debbie A. Harnen - Notary Public

In and for the State of Wisconsin

23

My Commission Expires: July 27, 2022.

24

25

0844a

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OF  
MITCHELL GARABEDIAN

MITCHELL GARABEDIAN  
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April 11, 2018

Zachary G. Lehman  
Headmaster  
The Hill School  
860 Beech St.  
Pottstown, PA 19464

Re: Sexual Abuse Claim of Kurtis Nicholas Poulos

Dear Mr. Lehman:

Please be informed that this office represents Kurtis Nicholas Poulos. This letter is an attempt to settle and compromise claims involving Matthew B. Ralston (hereinafter "Mr. Ralston") and Mr. Ralston's supervisors at The Hill School. It should not be used as evidence in any court hearing.

Kurtis Nicholas Poulos, currently 39 years of age, was repeatedly sexually molested by Mr. Ralston from approximately 1993 when he was approximately 15 years of age until approximately 1995 when he was approximately 17 years of age. During relevant times, Mr. Ralston was assigned to or affiliated with The Hill School in Pottstown, Pennsylvania while Mr. Poulos was enrolled and attended school at The Hill School.

As a result of being sexually molested by Mr. Ralston, Mr. Poulos's injuries include, but are not limited to, depression; sadness; crying; anxiety; emotional pain; sleep problems; concentration problems; low self-esteem; low self-respect; low self-confidence; apathy, finding himself not caring about things; not caring about his grades or his future while he attended The Hill School; turned to drugs and alcohol to cope with the emotional pain; self-sabotaging the good things in his life; flashbacks and reminders; feeling broken and unfixable; sexuality problems such as being oversexed at times; problems with being touched; self-harm; feeling alone and isolated; feeling ostracized while he was at school; shame; embarrassment; guilt; self-blame; trust problems; intimacy problems; losing a dangerous amount of weight while at The Hill School

November 19, 2020

P16.219-P16.220

Halma Reporting Group



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Zachary G. Lehman  
April 11, 2018  
Page 2 of 2

because he did not feel like eating; suicidal ideation; creation of an emotional void in him; anger; confusion; feeling that Mr. Ralston ruined a part of his life; feeling that Mr. Ralston sent him down the wrong road in life; and feeling that Mr. Ralston stole his childhood innocence.


The aforementioned brief description is in no way meant to be exhaustive in its detail, but is only meant to briefly touch the surface of the relevant facts. The case is subject to substantive changes at any given time given the sensitive nature of the case.

Mr. Poulos's demand for settlement is \$1,000,000.00.

I await your response.

Thank you.

Very truly yours,



Mitchell Garabedian



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OF  
MITCHELL GARABEDIAN

MITCHELL GARABEDIAN  
WILLIAM H. GORDON  
NATHAN A. GAUL  
SALVATORE M. CIULLA  
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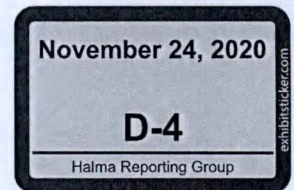
December 26, 2018

VIA FAX (610-275-5290)  
AND FIRST CLASS MAIL

Thomas D. Rees, Esq.  
High Swartz LLP  
40 East Airy Street  
Norristown, PA 19404

Re: Sexual Abuse Claim of Kurtis Nicholas Poulos

Dear Mr. Rees:



As you know, this office represents Kurtis Nicholas Poulos with regard to his sexual abuse claim involving Matthew B. Ralston and Mr. Ralston's supervisors at The Hill School.

During our telephone conversation regarding this matter on December 21, 2018, you requested additional information about Mr. Poulos's sexual abuse claim. Pursuant to your request, and in further support of Mr. Poulos's claim, Mr. Poulos provides the following information:

Kurtis Nicholas Poulos (DOB [REDACTED]) met Mr. Ralston during Mr. Poulos's freshman year at The Hill School in approximately 1993 or approximately 1994 when Mr. Poulos was approximately 14 or approximately 15 years old. Mr. Ralston served as a table master in the dining hall and Mr. Poulos had a rotation at Mr. Ralston's table during Mr. Poulos's freshman year. Mr. Poulos recalls that Mr. Ralston was a mathematics teacher and a cross country coach at The Hill School. Mr. Poulos recalls that Mr. Ralston lived in a dormitory of The Hill School with Mr. Ralston's family. Mr. Poulos does not recall that anything inappropriate happened with Mr. Ralston during Mr. Poulos's freshman year at The Hill School.

Mr. Ralston was Mr. Poulos's geometry teacher during Mr. Poulos's sophomore year at The Hill School in approximately 1994 and approximately 1995 when Mr. Poulos was approximately 15 and approximately 16 years old. Mr. Poulos recalls that classes were held on a rotating schedule at The Hill School, so that classes met at different times of day. On certain days when Mr. Poulos had geometry as the last class of the day, Mr. Ralston made Mr. Poulos stay behind in Mr. Ralston's classroom. Mr. Ralston and Mr.



LAW OFFICES  
OF  
MITCHELL GARABEDIAN

Thomas D. Rees, Esq.  
December 26, 2018  
Page 2 of 2

Poulos were alone in the classroom after school on these occasions. Mr. Poulos recalls that the geometry classroom was located at the end of a hallway. During the course of Mr. Poulos's sophomore year, Mr. Ralston sexually abused Mr. Poulos in Mr. Ralston's geometry classroom between approximately 10 and approximately 15 times. The sexual abuse consisted of, among other things, Mr. Ralston fondling Mr. Poulos's penis and testicles, skin on skin; Mr. Ralston making Mr. Poulos fondle Mr. Ralston's penis and testicles, skin on skin; Mr. Ralston putting his mouth on Mr. Ralston's penis; and Mr. Ralston making Mr. Poulos put his mouth on Mr. Ralston's penis.


The sexual abuse by Mr. Ralston ended with Mr. Poulos's sophomore year at The Hill School. Mr. Poulos transferred to Marquette University High School, Milwaukee, Wisconsin for his junior year of high school. Mr. Poulos returned to The Hill School for his senior year, approximately 1996 to approximately 1997. Mr. Poulos had limited contact with Mr. Ralston during Mr. Poulos's senior year, although Mr. Poulos recalls that he and Mr. Ralston lived in the same dormitory during that year. Mr. Poulos does not recall any sexual abuse during Mr. Poulos's senior year at The Hill School. Mr. Poulos does not recall having any contact with Mr. Ralston after Mr. Poulos graduated from The Hill School in approximately 1997 when Mr. Poulos was approximately 18 years old.

As I have previously advised you, Mr. Poulos has suffered numerous injuries as a result of the sexual abuse by Mr. Ralston, including, but not limited to, problems with depression; sadness; crying; anxiety; emotional pain; sleep; concentration; low self-esteem; low self-respect; low self-confidence; apathy; not caring about things in his life; self-medicating with alcohol and drugs; sabotaging himself; flashbacks and reminders of the sexual abuse; feeling broken and unfixable; sexuality; being touched; self-harm; feeling alone and isolated; feeling ostracized at The Hill School; shame; embarrassment; guilt; self-blame; trust; intimacy; losing weight while at The Hill School; suicidal ideation; feeling an emotional void; anger; confusion; feeling like Mr. Ralston ruined a part of his life; feeling like Mr. Ralston sent him down the wrong road in life; and feeling like Mr. Ralston stole his childhood innocence.

Please advise me as to your client's position with regard to this matter.

Thank you.

Very truly yours,



Mitchell Garabedian

1 UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3 -----

4 JOHN DOE,

5 Plaintiff, VOLUME 5

6 vs. Case No. 2:19-cv-01539

7 MITCHELL GARABEDIAN, ESQ., LAW

8 OFFICES OF MITCHELL GARABEDIAN and  
9 KURTIS N. POULOS,

10 Defendants.

11 -----

12

13

14 The videotaped deposition of KURTIS N.

15 POULOS was taken at the instance of the Plaintiff,

16 pursuant to the Federal Rules of Civil Procedure, taken

17 via Zoom video conferencing, on the 27th day of May,

18 2021, commencing at 11:02 a.m., before BETH ZIMMERMANN,

19 Registered Professional Reporter and Notary Public in and  
20 for the State of Wisconsin.

21  
22  
23  
24  
25

1 REMOTE APPEARANCES

2

3 THE BEASLEY FIRM, LLC

By: Mr. Lane R. Jubb, Jr., Esq.

4 1125 Walnut Street

Philadelphia, Pennsylvania 19107

5 Appearing on behalf of the Plaintiff

6

SWARTZ CAMPBELL, LLC

7 By: Ms. Candidus K. Dougherty, Esq.

1650 Market Street, 38th Street

8 Philadelphia, Pennsylvania 19103

Appearing on behalf of the Defendants

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11

ALSO PRESENT:

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James Vonwiegen, Videographer

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Kurtis N. Fouros

1	EXHIBIT INDEX		
2			
3	Ex. No.	Description	Page
4	4	Bates 24, 4/3/19 Handwritten Notes	7
	5	Bates 57, 12/18/18 E-Mail to Nathan	
5		Gaul	16
	6	Bates 3, 5-15-19 Handwritten Notes	25
6	7	Bates Email108, 5/6/20 E-Mail	27
	8	Bates Email0069, 5/9/19 E-Mail	29
7	9	Cross Complaint	32
8	D5	Bates 33-39, 12/12/17 Handwritten Notes	71
	D6	Bates 25-26, 12/21/18 & 12/26/18 Notes	140
9	D7	Bates 30, 12/19/18 Handwritten Notes	137
	D8	Bates 54, 1/18/18 E-Mail	132
10	D9	Bates 40, 12/12/17 Handwritten Notes	84
	D11	Bates 66-71, Historical Allegation	
11		E-Mails	63
	D12	Cross Complaint With Exhibits	55
12	D13	Bates 43-47, 1/17/18 E-Mails	131
	D14	Bates 59, 9/20/18 & 12/17/18 E-Mails	134

(ORIGINAL EXHIBITS ATTACHED. SCANNED COPIES PROVIDED  
TO COUNSEL.)

17	EXAMINATION INDEX	
		Page
18	By Mr. Jubb	5
19	By Ms. Dougherty	45
	By Mr. Jubb	144
20	By Ms. Dougherty	169
	By Mr. Jubb	170

#### REQUESTED DOCUMENTS

(NO REQUESTS MADE)

0851a

Kurtis N. Poulos

1 VIDEOGRAPHER: We are now on the  
2 record. My name is James Vonwiegen. I'm a  
3 videographer for Golkow Litigation Services.  
4 Today's date is May 27, 2021, and the time is  
5 11:02 a.m.

6 This remote video deposition is being  
7 held in the matter of John Doe versus Mitchell  
8 Garabedian, et al., for the United States  
9 District Court, the Eastern District of  
10 Pennsylvania. The deponent is Kurtis Poulos.

11 All parties of the deposition are  
12 appearing remotely and have agreed to the  
13 witness being sworn in remotely. Due to the  
14 nature of remote reporting, please pause  
15 briefly before speaking to ensure all parties  
16 are heard completely. Counsel will be noted  
17 on the stenographic record.

18 The court reporter is Beth Zimmermann and  
19 will now swear in the witness.

20 KURTIS POULOS being first duly sworn  
21 on oath to tell the truth, the whole truth,  
22 and nothing but the truth, was examined and  
23 testified as follows:

24 THE WITNESS: Except for the "so  
25 help me God," yes.

0852a

1 EXAMINATION BY MR. JUBB:

2 Q Mr. Poulos, good afternoon. We've done this a  
3 few times, but I'll just go over the  
4 instructions anyway. If at any point in time  
5 you don't understand my question, just let me  
6 know and I'm happy to rephrase it.

7 Everything that we're taking down is  
8 being recorded by audio, video and  
9 stenographer, so it's important that we do our  
10 best to let each other speak. I know that can  
11 be difficult in light of certain technological  
12 difficulties that exist in using this  
13 platform.

14 If at any point in time you want to  
15 break, you just let me know. I don't intend  
16 to be too long, but you know how that works,  
17 just let me know.

18 I'm going to try and pick back up -- pick  
19 back up where we left off. I might hop around  
20 a little bit just because we kind of got  
21 interrupted with the last situation, which was  
22 no fault of anybody's; but I'd like to just  
23 get back right into it if we could.

24 First off, before coming here today, did  
25 you have an opportunity to review your

1 testimony from the last time we spoke?

2 A No. I have not received any copies of any  
3 testimonies.

4 Q And my question was a little bit different.

5 Did you have any opportunity to review it?

6 Whether or not you received it from somebody,

7 did you ever review it?

8 A No.

9 Q Did you have any opportunity to -- Strike  
10 that.

11 Did you review any materials in  
12 anticipation of today's deposition?

13 A No.

14 Q Did you have any discussions with  
15 Mr. Garabedian before today's deposition,  
16 since your last deposition?

17 A No.

18 Q Did you have any discussions with  
19 Ms. Dougherty or anyone from her firm since  
20 your last deposition?

21 A No.

22 Q Am I correct that as of -- Let's see here.  
23 Strike that.

24 I'm going to show you what has been  
25 previously marked and produced as Garabedian

Kurtis N. Poulos

1 File 24. This is going to be --

2 MR. JUBB: Candy, do you know where  
3 we left off at the last one? I think I only  
4 had 3, so this would be 4.

5 MS. DOUGHERTY: Yes, we were at 3.

6 MR. JUBB: So we already did 3 or  
7 we're up to 3?

8 MS. DOUGHERTY: Already did 3. It  
9 was the order and then two e-mails.

10 MR. JUBB: Thank you. So we're  
11 going to mark this as Exhibit 4 to the  
12 deposition, Volume 2. Or I guess it would  
13 be -- That was improper identification, not  
14 Volume 2. Let's just call it Exhibit 4 to the  
15 May 27th deposition continuation, which is  
16 Garabedian File 24.

17 MS. DOUGHERTY: Okay. Mr. Jubb, I  
18 think you called them "Poulos" and then a  
19 number.

20 MR. JUBB: Call it Poulos 4, please.

21 BY MR. JUBB:

22 Q So at the bottom you can see that, Mr. Poulos?

23 A I can't see anything.

24 Q Garabedian File 24, do you see that?

25 A I just see a yellow sheet of paper.

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Kurtis N. Poulos

1 Q Look at the bottom. Do you see that?

2 A No, I cannot see that.

3 Q I'll represent to you that there is a video  
4 going right now so we'll see if anyone else  
5 can see Garabedian 24. At the top it's a  
6 yellow piece of paper. There is a date. It  
7 looks like it says "4/3/19, Kurt Poulos, MG  
8 tells client the school was giving us the  
9 runaround."

10 Am I correct, Mr. Poulos, that as of  
11 April 3, 2019, you were told by Mr. Garabedian  
12 that the school was giving you the,  
13 quote/unquote, runaround?

14 A Something to that effect.

15 Q And when he made those comments to you, that  
16 the school was giving you and him the  
17 runaround as of April 3, 2019, what did you  
18 understand that to mean?

19 A I guess that they were dodging questions or  
20 being evasive in responding to any phone calls  
21 or e-mails.

22 Q In other words, the impression you got from  
23 your discussion with Mr. Garabedian was that  
24 the school was not being responsive. Is that  
25 fair?

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1 A Correct.

2 Q Now, at some point in time shortly thereafter,  
3 this lawsuit was filed against you. And am I  
4 correct that when that happened, you continued  
5 having discussions with Mr. Garabedian?

6 A Only in regards of how do I get representation  
7 and whether or not he would be representing  
8 me.

9 Q And in those discussions at any point in  
10 time -- Strike that. Let's not do it that  
11 way.

12 This lawsuit was filed against you in  
13 approximately April of 2019 after the 3rd, and  
14 when that happened, did you have any Zoom  
15 conference or any sort of personal meeting  
16 with Mr. Garabedian?

17 A I have never met Mitchell Garabedian in person  
18 and I've never seen him through Zoom.

19 Q At some point in time with this lawsuit being  
20 filed, did you have a chance to speak with  
21 anyone from his office about this lawsuit?

22 A Not Mr. Garabedian. I believe there was  
23 somebody else in attendance pretty much every  
24 time that I spoke with Mitchell.

25 Q My question was a little bit different.

Kurtis N. Fouros

1           You've already told us that you didn't speak  
2           with Mitchell in person or in Zoom, and all of  
3           the discussions that you had with Mitchell  
4           after this lawsuit was filed you have told us  
5           in your own words what they pertained to.

6                     But have you had any discussions where  
7           Mitchell Garabedian was not present with  
8           anyone from his law firm pertaining to this  
9           case?

10          A       No.

11                     MS. DOUGHERTY:   Objection.

12                     THE WITNESS:    I don't believe so.

13                     MS. DOUGHERTY:   Were you able to  
14           hear my objection?

15                     REPORTER:   (Nodding affirmatively)

16                     MS. DOUGHERTY:   I just want to make  
17           sure.   Thank you.

18                     BY MR. JUBB:

19          Q       After this lawsuit was filed, Mr. Garabedian  
20           had some discussions with you, am I correct,  
21           and at that point in time he and you went over  
22           some of your criminal background?

23          A       We had already established that in the past.

24          Q       When you say "we had already established  
25           that," are you referring to my previous

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Kurtis N. Foules

1 discussions with you or that you and  
2 Mr. Garabedian had already established that?

3 A Mr. Garabedian.

4 Q At any point in time after you sued my client,  
5 were you encouraged to contact the police?

6 A No.

7 Q At any point in time -- Strike that.

8 I understand your testimony to mean that  
9 at no point in time after this lawsuit was  
10 filed did anyone, including Mr. Garabedian or  
11 any members of his office, ever encourage you  
12 to contact the police. Is that fair?

13 A Not to my recollection, no.

14 Q And did you -- Strike that.

15 Do you have a recollection yourself of  
16 ever contacting the police?

17 A Yes.

18 Q And tell me everything about that, please.

19 A I reached out to the local authorities around  
20 the high school and tried to see what, if  
21 any -- if they wanted me to make a statement,  
22 if that would be necessary, and they basically  
23 said no because of statute of limitations.

24 Q Did Mr. Garabedian ever send anyone from  
25 Wisconsin to come speak to you, from Wisconsin

0859a

1 police, about this?

2 A No.

3 Q And when you contacted -- Strike that.

4 Am I correct to understand your testimony  
5 to be that you contacted the Pottstown Police  
6 Department?

7 A I believe it was the Pottstown Police  
8 Department.

9 Q And am I correct this is the first time you  
10 contacted the Pottstown Police Department?

11 A I believe so, yes.

12 Q In other words, the first time you contacted  
13 the Pottstown police with any allegation that  
14 you were sexually abused by someone when you  
15 were in high school was after you were sued as  
16 a defendant in this case. Is that correct?

17 A No. You totally misunderstood what I said. I  
18 did it before the lawsuit to find out if there  
19 was anything that I could say to put on record  
20 if it would matter, and he said "No."

21 I did not name names when I spoke to the  
22 Pottstown Police Department. I stated I was a  
23 student. I didn't give them -- I don't  
24 believe I gave them my full name -- and asked,  
25 you know, if there is anything I should do to

1           get something on the record, and he said, "No,  
2           not at this time."

3           Q     So then tell me when approximately this  
4           occurred with respect to the Pottstown Police  
5           Department then.

6           A     I believe it was either shortly before I moved  
7           from Connecticut in 2018 or shortly after I  
8           moved back to Milwaukee in March of 2018.

9           Q     And tell me how you ended up contacting them.  
10          Was this by phone?

11          A     Correct.

12          Q     Who did you speak with?

13          A     I don't remember.

14          Q     Was it a male or a female?

15          A     Like I said, it -- I believe it was a male,  
16          and it was very informal. It was just sort of  
17          dipping my toe in the water to find out  
18          what -- if there is anything I need to do as a  
19          victim even though it's 20-plus years later.

20          Q     And what were you told?

21          A     That at this time there was nothing -- there  
22          was no reason for them to take a statement.

23          Q     And ultimately then after you were sued in  
24          this case, at any point in time did you  
25          contact the Pottstown Police Department?

Kurtis N. Poulos

1 A I don't believe so.

2 Q Is there anything that comes to mind that  
3 causes you to qualify your answer as "I don't  
4 believe so" as opposed to "No"?

5 A Okay. No. But I can't defin -- I don't  
6 remember every single phone call I've made  
7 over the last three years. I'm sorry. But I  
8 don't think I did, so I'm going to say no.

9 Q I certainly don't want you, nor did I ask you  
10 if you recall every single phone call you  
11 made.

12 So after you were named as a defendant in  
13 a lawsuit accusing you of what you're being  
14 accused of, did you contact any investigating  
15 authority such as police or DA or anybody like  
16 that?

17 MS. DOUGHERTY: Objection. At this  
18 point I think you're past the scope of the  
19 order that says Mr. Poulos shall appear for a  
20 continuation of his deposition to answer  
21 questions from Plaintiff's counsel limited to  
22 the area of his discussions and communications  
23 with Defendant Garabedian.

24 Unless I misheard, I think that  
25 Mr. Poulos has indicated he didn't have

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1 discussions about this with Mr. Garabedian, so  
2 that's my objection.

3 MR. JUBB: Okay. And I'll just move  
4 all that together then.

5 BY MR. JUBB:

6 Q Mr. Poulos, I take that to mean that to the  
7 extent there is any reference in  
8 Mr. Garabedian's notes of you having a  
9 discussion with the police department after  
10 you were sued in this lawsuit, those would be  
11 incorrect. Is that fair?

12 A To the best of my knowledge, yes.

13 Q At any point in time, did you ever tell  
14 Mr. Garabedian that you were speaking with the  
15 Pottstown Police Department?

16 A I believe prior to this lawsuit, yes.

17 Q And what did you tell him about that?

18 A That I was going to reach out and speak with  
19 somebody and see if there was anything I  
20 needed to put on record. Like I said, it was  
21 more of a fact-finding mission than anything  
22 else.

23 Q At any point in time -- Strike that.

24 What do you recall being told from the  
25 police -- Strike that.

Kurtis N. Poulos

1 Did you tell the police that you had a  
2 civil suit ongoing?

3 MS. DOUGHERTY: Objection, the same  
4 as my prior objection about the scope of the  
5 deposition.

6 THE WITNESS: No.

7 BY MR. JUBB:

8 Q When did your discussions with Mr. Garabedian  
9 about the legal issues in this case stop?

10 A About this case? At least a year ago.  
11 Probably a year and a half ago when I realized  
12 I was not going to be represented by him.

13 Q When had your discussions with Mr. Garabedian  
14 stopped?

15 A Again, about a year and a half ago.

16 Q I'm going to show you what was produced to us  
17 by Mr. Garabedian as Garabedian File 57.  
18 We're going to mark this as Poulos 5.

19 I'm showing you what's been marked as  
20 Garabedian File 57. It appears to be an  
21 e-mail from Mr. Garabedian to Mr. Nathan Gaul,  
22 forwarding an e-mail from your mom.

23 First off, do you know who Mr. Gaul is?

24 A I believe he's legal representation for The  
25 Hill School.

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1 Q To your knowledge, do you believe you've ever  
2 had any conversations with Mr. Gaul?

3 A I don't believe so.

4 Q Would it refresh your recollection in any way  
5 if I were to tell you that he is affiliated  
6 with Mr. Garabedian's law firm? Does that  
7 refresh your recollection as to whether or not  
8 you may have spoken with him?

9 A No.

10 Q In this e-mail from your mom to  
11 Mr. Garabedian -- First of all, have you ever  
12 seen this e-mail before?

13 A No.

14 Q Would you take the time to just review this  
15 quickly, and then let me know when you're  
16 finished, please.

17 MS. DOUGHERTY: Could you tell me  
18 the Bates label again? I know you said it but  
19 I lost it.

20 MR. JUBB: Sure. It's Garabedian  
21 File 57.

22 THE WITNESS: Okay. What am I  
23 supposed to do with this? I didn't write  
24 this.

25 BY MR. JUBB:

Kurtis N. Foulos

1 Q My question was just to review it. Now, in  
2 here your mom wrote to Mr. Garabedian --  
3 Strike that. Let me back up.

4 Did you give your mother permission to  
5 communicate with Mr. Garabedian on your behalf  
6 with respect to the underlying issues as well  
7 as this lawsuit?

8 MS. DOUGHERTY: Objection.

9 THE WITNESS: Did I give my  
10 73-year-old mother permission to do something?  
11 I don't need to. She's her own person. She  
12 can do whatever she wants.

13 BY MR. JUBB:

14 Q Well, some might tell their mother not to  
15 interfere in certain things. At any point in  
16 time did you tell your mom not to e-mail your  
17 lawyers?

18 MS. DOUGHERTY: Objection. My prior  
19 objection regarding scope.

20 THE WITNESS: I am not going to try  
21 to dictate to her what she can and cannot do.

22 BY MR. JUBB:

23 Q All right. So in this e-mail -- I'm just  
24 going to lay some foundation and then ask you  
25 a question about it.

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1                   When she said, "In my last e-mail to you  
2                   on 1/18 I expressed concern about your lack of  
3                   communication about this matter. This concern  
4                   has been magnified by the mere passage of time  
5                   and the unsettling request for money from  
6                   Hill." Do you see where I read that correctly?

7           A     Yes.

8           Q     When she is referring to an "unsettling  
9                   request for money from the Hill," did you have  
10                  an unsettling feeling about requesting money  
11                  from the Hill?

12                         MS. DOUGHERTY: Objection.

13                         THE WITNESS: I don't believe so.

14                         MS. DOUGHERTY: Mischaracterized the  
15                         e-mail.

16                         THE WITNESS: Yeah. That's not what  
17                         she's saying there. The school is requesting  
18                         money from us. We received e-mails from the  
19                         school every few months requesting donations.

20                         BY MR. JUBB:

21           Q     Forgive me. I misspoke. Was it unsettling to  
22                   you that you were receiving e-mails from The  
23                   Hill School that you considered to be requests  
24                   for donations?

25           A     At this point -- At that point I believe I

1 blocked all communication from the alumni  
2 office in regards to monetary requests for a  
3 donation.

4 Q Mr. Poulos, do you recall anyone by the name  
5 of Leanne that you spoke with?

6 A From where? I know a Leanne from high school.

7 Q No. I'm happy to clarify. At any point in  
8 time did you speak to -- Strike that.

9 It's my understanding from your testimony  
10 that you did not speak with any investigating  
11 authority, whether police, DA, et cetera,  
12 after this lawsuit was filed.

13 A No, I did not.

14 Q My question would be at any point in time do  
15 you recall speaking with someone by the name  
16 of Leanne who was with the police or a DA or  
17 anything like that?

18 A No.

19 Q Would I be correct in understanding your  
20 testimony to be that other than the instance  
21 in 2008, at no point in time were you directed  
22 by Mr. Garabedian to contact the police --  
23 Strike that. Let me back up.

24 At no point in time did Mr. Garabedian  
25 ever tell you to contact the police. Is that

Kurtis N. Poulos

1 correct?

2 A I don't believe so. And you said "2008," by  
3 the way.

4 MS. DOUGHERTY: Mr. Poulos, I think  
5 he struck his question.

6 BY MR. JUBB:

7 Q Focus on just being responsive to the  
8 question.

9 So my question to you was, am I correct  
10 in that at no point in time did Mr. Garabedian  
11 ever direct you, instruct you or tell you to  
12 contact the police?

13 A Not to my recollection.

14 Q Am I correct in understanding your testimony  
15 that at no point did Mr. Garabedian instruct,  
16 suggest or tell you to contact any sort of  
17 district attorney?

18 MS. DOUGHERTY: Objection.

19 THE WITNESS: Not to my  
20 recollection.

21 BY MR. JUBB:

22 Q And I would imagine the basis for that is you  
23 have no recollection of speaking with any sort  
24 of DA after knowing Mr. Garabedian. Is that  
25 fair?

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1 A I have never spoken to a DA.

2 Q Now, I will ask it just as broad as I can  
3 possibly be just to cross the T and dot this  
4 I.

5 Following your introduction to  
6 Mr. Garabedian, do you have any recollection  
7 of speaking with any sort of investigative  
8 authority, police, district attorney's office,  
9 FBI, AG, any investigative authority, any  
10 recollections at all?

11 MS. DOUGHERTY: Objection.

12 THE WITNESS: As stated before, yes,  
13 I spoke to somebody in the Pottstown Police  
14 Department, but that was prior to this court  
15 case.

16 BY MR. JUBB:

17 Q Listen to my question. You met -- You first  
18 spoke with Mr. Garabedian in 2017, correct?

19 A Yes.

20 Q Now, in 2018 when you spoke to the Pottstown  
21 Police Department, your testimony is that  
22 Mr. Garabedian did not instruct you to do  
23 that, correct?

24 A Correct.

25 Q All right. Now, at any point in time --

Kurtis N. Poulos

1 Strike that.

2 Other than the Pottstown Police  
3 Department, is there any other investigative  
4 authority that you spoke with?

5 A No.

6 Q And have you told me everything you can about  
7 your discussions with the police department?

8 A Yes.

9 Q At any point in time did you tell  
10 Mr. Garabedian that they did not want to get  
11 involved because there was a civil lawsuit?

12 A Rephrase that. You keep saying "they" and  
13 "he" and --

14 Q At any point in time did you, Kurtis Poulos,  
15 tell he, Mitchell Garabedian, that they, the  
16 Pottstown Police Department, did not want to  
17 investigate the case because of a civil  
18 lawsuit?

19 MS. DOUGHERTY: Objection.

20 THE WITNESS: Not to my knowledge.

21 BY MR. JUBB:

22 Q Did you tell Mr. Garabedian that you were  
23 presently in therapy at the time you spoke  
24 with him?

25 MS. DOUGHERTY: Objection. When are

0871a

Kurtis N. Poulos

1           you talking about?

2                       THE WITNESS: Yeah. I mean, you  
3           keep throwing out these dangling modifiers.  
4           Be more specific, because I haven't been in  
5           therapy for a couple of years. So there would  
6           be a period of time when I would have spoken  
7           to him and been in therapy.

8                       MS. DOUGHERTY: My objection, Lane,  
9           is just for clarification on, like, the date  
10          that you were talking about when he had the  
11          communication with Mr. Garabedian.

12                      MR. JUBB: And Candy, just to be  
13          clear to you, I completely understand that  
14          we're on day five of this, and I am relating  
15          this to conversations for -- I have a basis to  
16          ask these questions. I'm trying not to  
17          constantly go through Mr. Garabedian's notes,  
18          so I'm happy to pull them up to orient the  
19          witness to this, to clarify that.

20                      BY MR. JUBB:

21          Q       So with that as the background, Mr. Poulos,  
22          after this lawsuit was filed -- Strike that.

23                      Mr. Poulos, at the time this lawsuit was  
24          filed, were you in therapy?

25                      MS. DOUGHERTY: Objection, scope.

0872a

Kurtis N. Poulos

1 THE WITNESS: I don't think so.

2 MR. JUBB: We're going to mark this  
3 as Poulos 6. It's Garabedian File 3.

4 BY MR. JUBB:

5 Q Mr. Poulos, I'm showing you what has  
6 previously been produced to me as Garabedian  
7 File 3. At the top it has a date of 5/15/19,  
8 which I'll represent to you is about a month  
9 after this lawsuit was filed. Excuse me. A  
10 little less than -- I guess a little more than  
11 a month after this lawsuit was filed.

12 At the top it says, "PC Kirk Poulos," and  
13 then down here it says "MG: In therapy. KP:  
14 Yes, in therapy." Do you have any idea what  
15 that is referring to?

16 A I didn't -- I don't believe I saw my therapist  
17 in May of 2019. I was doing group therapy  
18 online anonymously but not -- It was more of a  
19 group therapy, exactly like you would talk  
20 about PTSS.

21 Q What program is that?

22 A Excuse me?

23 Q What program is that? Does it have a name?

24 A No, it does not.

25 MS. DOUGHERTY: Objection, scope.

0873a

1 BY MR. JUBB:

2 Q Well, when you talked to Mr. Garabedian, did  
3 you explain to him what type of therapy you  
4 were in?

5 A No.

6 Q Well, how long were you in this therapy?

7 MS. DOUGHERTY: Objection, scope.

8 THE WITNESS: I probably went  
9 through six or seven group sessions. It was  
10 an online chat forum.

11 BY MR. JUBB:

12 Q Look a little lower at this "MG" -- I can't  
13 read everything, but it looks like it says,  
14 "Will give you AG number. KP: I called  
15 them - AG. They, AG, said we'll get back to  
16 KP in 48 hours." Do you see that? I'll zoom  
17 in.

18 A Yeah, I see it.

19 Q All right. Does that refresh your  
20 recollection at all as to --

21 A No.

22 Q -- whether or not you contacted an AG's  
23 office?

24 MS. DOUGHERTY: Objection.

25 REPORTER: Repeat your answer,



Kurtis N. Poulos

1 please.

2 THE WITNESS: No.

3 BY MR. JUBB:

4 Q Do you know -- Strike that.

5 Do you have any basis or understanding as  
6 to how Mr. Garabedian got the impression that  
7 you had contacted the AG's office?

8 MS. DOUGHERTY: Objection.

9 THE WITNESS: No.

10 MR. JUBB: I'm going to show you  
11 what has previously been produced as  
12 Garabedian e-mail 108. This is going to be  
13 Poulos 7.

14 BY MR. JUBB:

15 Q Mr. Poulos, this appears to be an e-mail from  
16 you to Mr. Garabedian. 5/6/20 it was sent,  
17 and for the record it's Garabedian 108. And  
18 in this e-mail it says, "Subject: May 12th  
19 call. Time is of the essence. Please respond  
20 by tomorrow on May 7th before the end of the  
21 day. I need to know if you're going to  
22 represent me, Kurt Poulos."

23 Do you recall sending this?

24 A Yes.

25 Q And did you ever have a chance to speak with

0875a

1 him after this e-mail?

2 A If I did, it was very brief and I was told  
3 that I was not going to be represented by him.

4 Q What else do you recall about that  
5 conversation?

6 A That I needed to procure my own attorney, my  
7 own representation.

8 Q What else?

9 A That because he was a co-defendant, it  
10 wouldn't be possible for him to represent me.

11 Q Is this the first time as of May 6th, 2020,  
12 that you were told by Mr. Garabedian that he  
13 would not be able to represent you since he  
14 was a co-defendant?

15 MS. DOUGHERTY: Objection.

16 THE WITNESS: I don't remember if he  
17 had told me before.

18 BY MR. JUBB:

19 Q To the best of your recollection, when was the  
20 first time Mr. Garabedian told you that he  
21 would not be able to represent you?

22 MS. DOUGHERTY: Objection.

23 THE WITNESS: Shortly after this  
24 whole thing started.

25 MR. JUBB: I'm going to show you

Kurtis N. Poulos

1 what's been marked as Garabedian e-mail 69.

2 This is going to be Poulos 8.

3 BY MR. JUBB:

4 Q Mr. Poulos, I'm showing you what's previously  
5 been produced as Garabedian e-mail 69. We've  
6 marked it in your deposition as Poulos 8.

7 This is an e-mail from you to  
8 Mr. Garabedian, 5/9/19. It says, "They called  
9 finally." And you say, "As of now, they're  
10 unwilling to take a statement at the Pottstown  
11 police station." Do you see that?

12 A Yes.

13 Q All right. What did you mean by "They called  
14 finally"?

15 A Like I said in the past, I had left messages,  
16 and somebody else finally called me back --  
17 not the original person that I spoke to --  
18 prior to this investigation or this lawsuit.

19 Q I thought you said you called in 2018. Wasn't  
20 that your testimony?

21 A I did.

22 Q And no one got back to you for a year?

23 MS. DOUGHERTY: Objection. He  
24 wasn't done with his answer.

25 MR. JUBB: Ms. Zimmermann, would you

0877a

1 mind repeating my question and whatever answer  
2 you were able to pick up?

3 (Reporter read previous question and answer.)

4 BY MR. JUBB:

5 Q I didn't hear anything after that either. So  
6 Mr. Poulos, would you like to expand on that  
7 answer?

8 MS. DOUGHERTY: He was definitely  
9 still talking. I couldn't understand what the  
10 words were.

11 THE WITNESS: Like I was saying --  
12 (Zoom crosstalk)

13 MS. DOUGHERTY: I couldn't  
14 understand the words because you were talking  
15 over him.

16 BY MR. JUBB:

17 Q Mr. Poulos, could you please continue your  
18 answer to the extent that you have additional  
19 information.

20 A I had called in 2018. I had left messages  
21 with a couple of people I believe on different  
22 occasions. Only once did I speak to somebody,  
23 and only once did somebody return my phone  
24 call. And yes, it was probably a year later.

25 Q So 2018 you're saying that you called the

1 Pottstown police station on multiple  
2 occasions, correct?

3 MS. DOUGHERTY: Objection, scope.

4 BY MR. JUBB:

5 Q Mr. Poulos?

6 A Correct.

7 Q Okay. And in doing that, I understand your  
8 testimony to be that you were leaving a bunch  
9 of different messages. Is that right?

10 A I was leaving messages with multiple people.

11 Q And when you were leaving messages with  
12 multiple people, these were voicemails, right?

13 A Correct.

14 MS. DOUGHERTY: Objection, scope.

15 BY MR. JUBB:

16 Q And when you were -- Strike that.

17 Am I correct to understand your  
18 testimony, at least as to what you're  
19 referring to Mr. Garabedian here, "They  
20 finally called" to be in reference to somebody  
21 returning your call from 2018?

22 THE WITNESS: Clipper, go in bed.

23 (Referring to pet)

24 A Yes.

25 Q In other words, the impression that you wanted

Kurtis N. Poulos

1 to give to Mr. Garabedian was that the  
2 Pottstown Police Department had not contacted  
3 you back after your voicemails to them  
4 discussing allegations of sexual abuse for  
5 almost a year. Is that right?

6 A Yes.

7 MS. DOUGHERTY: Objection.

8 MR. JUBB: Ms. Zimmermann, did you  
9 get the "Yes"?

10 REPORTER: Yes, I did.

11 BY MR. JUBB:

12 Q Mr. Poulos, I'm going to show you what I'm  
13 going to be marking as Poulos 9.

14 A Sure.

15 Q Poulos 9 is the Cross Complaint that you filed  
16 against Mr. Garabedian. You've seen this  
17 before, right?

18 A Correct.

19 Q And the pro se litigant at the bottom, it  
20 spans five pages, that's your signature,  
21 correct?

22 A Correct.

23 Q And it says "Dated this 21st day of December,  
24 2020," correct?

25 A Correct.

0880a

1 Q Now, in your -- in here in paragraph -- Strike  
2 that.

3 When you signed this, you had an  
4 understanding that these were going to be  
5 affirmative facts to the court and you would  
6 want them to be as truthful and honest as  
7 possible, correct?

8 A Correct.

9 Q In paragraph number three you write, "For  
10 approximately 20 years he told no one about  
11 this abuse." Do you see that?

12 A Yes.

13 Q Now, at the time that you're alleging the  
14 abuse occurred, you were a sophomore in high  
15 school, right?

16 A Correct.

17 Q And for purposes of your Cross Complaint  
18 against Mr. Garabedian, you suggested in here  
19 to the court that for approximately 20 years  
20 you told no one about this abuse. How old  
21 were you when you were a sophomore?

22 MS. DOUGHERTY: Objection, scope.

23 THE WITNESS: I was 15 at the  
24 beginning of the year and 16 at the end of the  
25 year.

Kurtis N. Foulos

1 BY MR. JUBB:

2 Q How am I supposed to understand for purposes  
3 of your Cross Complaint against Mr. Garabedian  
4 if it was approximately 20 years as in, like,  
5 18 or 17 or if it's 21 or 22? I mean, can you  
6 do a better job of telling us how long it was  
7 until you told someone about this?

8 MS. DOUGHERTY: Objection, scope.

9 THE WITNESS: Over 20 years.

10 Yeah, it's okay. I'm okay. (Referring to pet)

11 BY MR. JUBB:

12 Q And then paragraph number four you wrote,  
13 "When he did confide about the abuse and  
14 resulting trauma, he never identified his  
15 abuser." Do you see that?

16 A Correct.

17 MS. DOUGHERTY: Objection, scope.

18 BY MR. JUBB:

19 Q Is it your testimony that the first time that  
20 you identified by name the person who you have  
21 alleged to have abused you was to Mitchell  
22 Garabedian?

23 A No.

24 Q So in this, "When he did confide about the  
25 abuse and resulting trauma he never identified

0882a



1 the abuser," can you explain to me the  
2 discrepancy there?

3 MS. DOUGHERTY: Objection, scope.

4 THE WITNESS: As I've explained in  
5 the past to you, I didn't need to tell my  
6 mother. She figured it out.

7 BY MR. JUBB:

8 Q Did you tell Mr. Garabedian that your mom knew  
9 the name of the alleged abuser?

10 A I believe so, yes.

11 Q In paragraph 16 for your Cross Complaint  
12 against Mr. Garabedian you wrote, "These very  
13 explicit letters which detailed the facts of  
14 the abuse and identify the abuser were never  
15 discussed with or approved by client Poulos,  
16 and in fact had not even been seen before the  
17 receipt of the Complaint." You wrote that  
18 correct?

19 A Correct.

20 MS. DOUGHERTY: Objection, scope.

21 BY MR. JUBB:

22 Q And am I correct to understand the relevance  
23 of this paragraph in your Cross Complaint to  
24 mean that at no point in time did you believe  
25 that Mr. Garabedian was going to be sending

Kurtis N. Foulos

1           these letters to the school?

2           A     The only thing I would have figured -- and  
3                 again, this may be my naiveté about how  
4                 lawyers practice law -- is that he would have  
5                 told me prior the specifics of the letter. I  
6                 knew that he was going to send a letter. I  
7                 didn't know how specific it was going to be.

8           Q     So you actually knew that Mr. Garabedian was  
9                 going to send a letter to The Hill School  
10                asking for a million dollars. Is that right?

11          A     No, I did not.

12                         MS. DOUGHERTY: Objection.

13                        THE WITNESS: And as I stated in  
14                        your previous question, I did not know the  
15                        specifics of the letter. I knew that he was  
16                        going to write a letter.

17                        BY MR. JUBB:

18          Q     Did he ever give you any indication as to what  
19                 was going to go in this letter that you  
20                 believe he was eventually going to write?

21                        MS. DOUGHERTY: Objection.

22                        THE WITNESS: That's been answered.

23                        No.

24                        BY MR. JUBB:

25          Q     Did he ever -- The first letter went out in

0884a

1 April of 2018. Did you even know it was sent?

2 A Only after the fact.

3 Q And when you say "after the fact," you're  
4 referring to after I sued you. Is that  
5 correct?

6 A No, after I reached out to Mitchell and found  
7 out that he had written letters. I knew he  
8 had called the school, but I didn't know the  
9 specifics of the conversations or the verbiage  
10 of the letters.

11 Q When do you believe the first time that you  
12 learned of the verbiage of the letters was?

13 A After he had sent the letters.

14 Q Okay. Well, that's been about three years  
15 now. So can we do anything better in terms of  
16 approximating when the first time that you  
17 learned that Mr. Garabedian sent the April  
18 letter to The Hill School?

19 A No, I cannot.

20 Q In other words, between April -- I guess April  
21 of 2018 and May of 2021, a little over  
22 36 months, trying your hardest to determine  
23 for us when you first learned about it, you  
24 can't do anything better other than "after he  
25 sent the letter." Is that right?

1 A Correct.

2 MS. DOUGHERTY: Objection.

3 BY MR. JUBB:

4 Q When he sent the December, 2018 letter, did  
5 you know he sent that one?

6 A After he sent it, but I did not know the  
7 specific verbiage.

8 Q Well, after you learned of the December, 2018  
9 letter, do you think that you knew that he had  
10 sent the April, 2018 letter by then?

11 A No.

12 Q Okay. So would it be fair to say then that  
13 you learned for the first time of the April  
14 letter sometime after the December letter? Is  
15 that fair?

16 A I believe so, yes.

17 Q In April of 2019 -- April 3rd of 2019 when he  
18 told you the school was giving him the  
19 runaround, do you think you knew before  
20 April 3, 2019, that the letters had been sent?

21 A Yes.

22 Q Okay. So now we've got this smaller window of  
23 sometime after the second letter and sometime  
24 before April 3rd, 2019, you learned that these  
25 letters were sent, correct?

1 A Correct.

2 Q When was the first time that you learned that  
3 Mitchell Garabedian had demanded a million  
4 dollars from the school?

5 A I don't recall.

6 Q Am I correct to understand that you never  
7 approved any demand for a million dollars to  
8 the school?

9 MS. DOUGHERTY: Objection.

10 THE WITNESS: Correct.

11 BY MR. JUBB:

12 Q Now, at some point you withdrew your Cross  
13 Complaint against Mitchell Garabedian,  
14 correct?

15 A Yes.

16 MS. DOUGHERTY: Objection, scope.

17 BY MR. JUBB:

18 Q Can you tell us why you withdrew that  
19 complaint against Mr. Garabedian.

20 MS. DOUGHERTY: Objection, scope.

21 THE WITNESS: It just didn't seem  
22 worth going through this a whole other time.

23 BY MR. JUBB:

24 Q Did anyone give you any sort of legal --  
25 Strike that.

Kurtis N. Foulos

1 Did you receive any legal advice --  
2 Strike that.

3 Did you receive advice from anyone other  
4 than your own self to withdraw that?

5 MS. DOUGHERTY: Objection.

6 THE WITNESS: No.

7 BY MR. JUBB:

8 Q At the time you spoke with Mr. Garabedian in  
9 the 2017 time frame that one time when you  
10 were doing the intake or interview process, as  
11 you called it, did you have an understanding  
12 then as to where Mr. Ralston was employed?

13 A To the best of my knowledge, he had lost his  
14 job at Leelanau School.

15 Q So when you say "he lost his job," did you  
16 tell Mr. Garabedian that?

17 MS. DOUGHERTY: Objection.

18 THE WITNESS: I don't think so.

19 BY MR. JUBB:

20 Q On what basis do you -- did you conclude that  
21 he lost his job?

22 A My mother had found out.

23 Q So your mother actually did some investigating  
24 herself. Is that your understanding?

25 A Like I said, she's her own person. She can do

0888a

1           whatever she wants.

2           Q     So she told that you Mr. Ralston had lost his  
3                 job at Leelanau. Is that right?

4           A     That he had resigned.

5           Q     Is there a difference in your mind between  
6                 resigning from a position and losing your job?

7                     MS. DOUGHERTY: Objection.

8                     THE WITNESS: Without being a smart  
9                 ass about it, a lot of people in higher  
10                positions will resign rather than have --  
11                being terminated as the reason that they leave  
12                a position, especially something like a  
13                headmaster.

14           BY MR. JUBB:

15          Q     I see. And so do you have any factual basis  
16                 whatsoever to support the position that he was  
17                 resigning because he was going to lose his  
18                 job?

19                     MS. DOUGHERTY: Objection, scope.

20                     THE WITNESS: No.

21           BY MR. JUBB:

22          Q     A few more and I think we can move on.  
23                 Mr. Poulos, I believe I know the answer to  
24                 this question, but I just have to ask it. So  
25                 at any point in time -- Strike that.

Kurtis N. Poulos

1                   How many occasions, if any, have you had  
2                   discussions with Ms. Dougherty or her partners  
3                   at Swartz Campbell pertaining to this lawsuit?

4           A       Possibly a handful. Like I was told by the  
5                   judge that I could feel free to reach out to  
6                   you and Candidus both and find out what was --  
7                   (Zoom crosstalk)

8           Q       Can you tell me --

9                   MS. DOUGHERTY: Objection. He was  
10                  still answering.

11                 REPORTER: I'll repeat his answer.

12                 THE WITNESS: No. Can I go on the  
13                  record at this point, because this is --  
14                  BY MR. JUBB:

15           Q       We were always on the record. Answer the  
16                   question. My phone did not get what you were  
17                   saying because you're farther away from the  
18                   phone than I guess is necessary. But  
19                   Ms. Zimmermann --

20           A       Is that better?

21           Q       -- please repeat his answer, then Mr. Poulos,  
22                   please continue your answer. Then if there is  
23                   anything you'd like to say afterwards, feel  
24                   free.

25                 MS. DOUGHERTY: Objection. Move to

0890a



Kurtis N. Poulos

1 strike.

2 (Reporter read previous answer.)

3 BY MR. JUBB:

4 Q Anything you'd like to add?

5 A No.

6 Q Okay. Is there anything you'd like to say?

7 A I would appreciate it if you would let me  
8 finish my answers.

9 Q That's what I just asked. Is there anything  
10 you'd like to add to your answer?

11 A No. I just -- I told you I finished my  
12 answer. But from now on, please stop  
13 interrupting me while I'm answering.

14 Q Mr. Poulos, talking about those handful of  
15 times, could you please explain to us what you  
16 can recall about those discussions, please.

17 A Little to nothing. They were less than five  
18 minute conversations, just finding out where  
19 we were in regards to certain aspects of these  
20 depositions and what I should have prepared,  
21 if anything, that I could recall.

22 Q Have you finished your answer?

23 A Yes.

24 Q And what were the things that you were told to  
25 prepare for?

0891a

1 MS. DOUGHERTY: Objection.

2 THE WITNESS: I don't recall. Just  
3 to be prepared.

4 BY MR. JUBB:

5 Q There was no further guidance other than "be  
6 prepared"?

7 A Correct.

8 Q They never said, "Be prepared to be questioned  
9 about certain things"?

10 MS. DOUGHERTY: Objection.

11 THE WITNESS: No.

12 BY MR. JUBB:

13 Q What was your response when they said "Be  
14 prepared"?

15 MS. DOUGHERTY: Objection.

16 THE WITNESS: That I would do my  
17 best to recall the activities of my  
18 interaction with Mitchell and my interaction  
19 with the plaintiff.

20 BY MR. JUBB:

21 Q Have you ever provided them with any documents  
22 at all?

23 A No.

24 Q Do you know whether or not your mother has had  
25 any subsequent conversations with

1 Mr. Garabedian?

2 A I do not.

3 Q At any point in time did you tell

4 Mr. Garabedian that you didn't want him having  
5 conversations with your mom or taking  
6 instruction from your mom?

7 A No.

8 Q At any point in time did you ever relay to  
9 Mr. Garabedian that your mom was a lawyer and  
10 that she represented you?

11 A No, because she doesn't represent me.

12 Q She never represented you, correct?

13 A Correct. She hasn't had her law license in  
14 years.

15 MR. JUBB: Okay. That's all I have.  
16 Ms. Dougherty will probably have some for you.  
17 And then if there is any follow-up, I might  
18 have some questions, but otherwise I'm done.

19 EXAMINATION BY MS. DOUGHERTY:

20 Q Mr. Poulos, have you ever spoken to my  
21 partner, Jeff McCarron?

22 A Perhaps. I'm not good with names. I'm sorry.  
23 I should probably be keeping notes.

24 Q Have you spoken to a man that's with my law  
25 firm ever?

1 A Not to my recollection.

2 Q The first time you spoke to me on the  
3 telephone, just me and you, was after your  
4 deposition ended before the last session when  
5 the court ordered you to come back. Is that  
6 right?

7 A Correct. You called me and told me to get  
8 back on the computer.

9 Q Okay. So -- You mean during your deposition?

10 A Yeah. I shut the computer, and you called me  
11 and told me to get back on.

12 Q And then so other than that telephone  
13 communication to get back on during the -- get  
14 back on the video during your deposition, you  
15 and I hadn't spoken on the phone before that.  
16 Is that correct?

17 A Correct. I think the only time I spoke to you  
18 prior to that -- No, it was after. I spoke to  
19 you --

20 Q With Mr. Jubb, correct?

21 A Yes.

22 Q With the Court?

23 A Yes.

24 Q Just trying to confirm that -- I'm not sure  
25 you exactly said it, but I just want to make

1           sure that your testimony is not that you  
2           talked to me before your deposition testimony  
3           and I told you to be prepared.

4           A     I didn't know your name before the deposition,  
5                 so why -- you know, I wouldn't have called  
6                 you.

7           Q     Just to confirm, when you contacted the  
8                 Pottstown Police Department, you didn't tell  
9                 the police Mr. Ralston's name or the school's  
10                name. Is that right?

11          A     Correct.

12          Q     Is it correct that you knew that  
13                 Mr. Garabedian was going to write to the  
14                 school and ask for money, you just didn't know  
15                 that it was going to be a million dollars?

16          A     Correct.

17                         MR. JUBB: Objection to the form.

18                         BY MS. DOUGHERTY:

19          Q     I think you covered this at length during a  
20                 prior day, but you wanted to recover your  
21                 tuition and get counseling paid for, stuff  
22                 like that. You had things in mind that you  
23                 wanted monetary -- you wanted money from the  
24                 school to cover it. Is that correct?

25          A     Correct.

Kurtis N. Foulos

1 MR. JUBB: Same objection.

2 BY MS. DOUGHERTY:

3 Q Keep going.

4 A As I stated before, my initial response to  
5 this was I don't want to gain financially, I  
6 just want that piece of my life back and the  
7 ability to go and get treatment for what  
8 happened. And if -- That's it.

9 Q And you left it to Mr. Garabedian to decide  
10 how to go about achieving your objective. Is  
11 that right?

12 A Correct.

13 MR. JUBB: Same objection.

14 BY MS. DOUGHERTY:

15 Q Did you ask Mr. -- I think you said that you  
16 did learn sometime after the second letter  
17 that two letters went to the school. Did you  
18 ask Mr. Garabedian for copies of the letters?

19 A I don't believe so.

20 Q Is there a reason why you didn't ask for  
21 copies of the letters?

22 A At the end of 2017, early 2018 I was in the  
23 process of not only finding a new job, finding  
24 a new house to live in a different city, this  
25 was -- As much as it is important in my life,

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1           it wasn't taking precedence over what was  
2           going to be an immediate need for me and my  
3           current girlfriend -- or my previous  
4           girlfriend, I should say.

5           Q     Did you give Mr. Garabedian permission to  
6           speak with your mother about your case?

7           A     Possibly. I said if she called that he's more  
8           than able or -- you know, she's more than able  
9           to receive any knowledge that I would receive.  
10          Kind of like if I was in the hospital, I  
11          wouldn't hide something that my doctor told me  
12          from my mother, so she would sort of just have  
13          to be in the room regardless.

14          Q     So it doesn't surprise you to see e-mails from  
15          your mother to Mr. Garabedian or from  
16          Mr. Garabedian to your mother about your case.  
17          Is that right?

18          A     No, not at all.

19          Q     I'm just going to show you what was marked  
20          earlier today as Poulos 4. It's Garabedian  
21          File 24.

22                   Counsel asked you about the first line.  
23           I want you to focus in where it says, "MG  
24           tells client that we should wait to see if SOL  
25           changes."

1 Do you remember having discussion or  
2 Mr. Garabedian telling you something like "We  
3 should wait to see if SOL changes"?

4 A Correct. The statute of limitations in New  
5 York, I believe, and other surrounding states  
6 had changed to allow for victims after a  
7 certain amount of time to sort of be  
8 grandfathered in and not have to report these  
9 things within a certain time period.

10 Q So was it the situation that -- Let me look  
11 here. Let's see. What's the date of these  
12 notes?

13 So it looks like these notes are April 3,  
14 2019. At least that's what whoever took the  
15 notes wrote. In April, 2019 were you  
16 considering legal action against Mr. Ralston  
17 if the statute of limitations changed?  
18 (Zoom crosstalk)

19 MR. JUBB: Objection.

20 BY MS. DOUGHERTY:

21 Q I'm sorry?

22 A Could you repeat the question?

23 Q Sure. In April were you planning to take  
24 legal action against Mr. Ralston if the  
25 statute of limitations of Pennsylvania



1 changed?

2 A I hadn't gotten to that point. There was no  
3 point in thinking about something that has an  
4 undetermined date. It was going to be a  
5 threshold that if I reached it and there was  
6 an opportunity, then I had to contemplate if  
7 it's worth the time and mental energy to deal  
8 with.

9 Q So when you were seeing Mr. Garabedian in  
10 2017, you and he had a discussion about the  
11 statute of limitations and whether it had  
12 passed as to a claim against Mr. Ralston. Is  
13 that right?

14 A Correct.

15 Q And was it the case that you in 2017 decided  
16 to wait to see if the statute of limitations  
17 changed as to whether you then wanted to  
18 pursue legal action against Mr. Ralston?

19 A As far as criminal procedures, correct.

20 Q What about civil?

21 A I believe so, yes.

22 Q You hadn't made a decision one way or another  
23 because you were waiting to see what happened  
24 in Pennsylvania as it relates to the statute  
25 of limitations. Is that right?

1 A Correct.

2 Q Is it fair that you were checking in with  
3 Mr. Garabedian regularly since you were seeing  
4 him in December of 2017 to learn about the  
5 status of the statute of limitations in  
6 Pennsylvania to see if you had the option of  
7 pursuing legal action against Mr. Ralston?

8 A It wasn't necessary. (Zoom crosstalk)

9 MR. JUBB: Objection.

10 BY MS. DOUGHERTY:

11 Q "It wasn't necessary," did you say?

12 A Correct.

13 Q Why wasn't it necessary?

14 A Because I was getting updates every few phone  
15 calls from my mother saying, "This is where  
16 this is at in this state," or "This is sort of  
17 on hold in this state," so -- (Zoom  
18 crosstalk) -- the focus of our conversations  
19 for a period of time. And then I told her,  
20 "This can't be the only thing I focus on."

21 Q So you and your mother were actively tracking  
22 whether Pennsylvania changed or was planning  
23 to change the statute of limitations as it  
24 relates to claims for sexual abuse. Is that  
25 right?

Kurtis N. Poulos

1 MR. JUBB: Objection.

2 THE WITNESS: She was more than I  
3 was.

4 BY MS. DOUGHERTY:

5 Q Then the third line in the note says, "Client  
6 says okay. We'll see. MG says we'll give it  
7 a year." Do you remember that discussion with  
8 Mr. Garabedian?

9 A Roughly. Like I said, most of my  
10 conversations with him were very short.  
11 Whether I was at work and, you know, this  
12 isn't exactly something I wanted to speak  
13 about out loud while I'm around my coworkers  
14 so --

15 Q Sure. If I understand correctly, in April,  
16 2019 there was nothing more that could be done  
17 as it relates to a claim against the school or  
18 against Mr. Ralston. Is that correct?

19 A Correct.

20 Q Let's see Poulos 9. So again I'm showing you  
21 Poulos 9, which is the Cross Complaint. I was  
22 going to mark it as D12, but I'll just stick  
23 with Poulos 9.

24 I'm just directing your attention back to  
25 paragraph 16 which is -- you were asked some

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1 questions about by Mr. Jubb.

2 Is my understanding correct that  
3 paragraph 16 meant the first time you actually  
4 saw the letters or recollect seeing the  
5 letters was when you received the Complaint,  
6 not that you had no idea the letters had been  
7 sent. Is that correct?

8 A I had not seen them. I knew they had been  
9 sent.

10 MS. DOUGHERTY: Actually, Lane, can  
11 I ask you, did Poulos 9 have the exhibits that  
12 were attached to the Cross Complaint?

13 MR. JUBB: No. And I don't have  
14 those actually.

15 MS. DOUGHERTY: They were sent to  
16 both of us when they went to the Court.  
17 That's how I got them.

18 MR. JUBB: When they were sent to  
19 the Court I looked -- I don't have those  
20 attached exhibits and it's sealed right now.  
21 Do you have them?

22 MS. DOUGHERTY: I do. And actually,  
23 how about we do this? I will mark a version  
24 of the Cross Complaint as -- that has the  
25 exhibits that, again, I received when we got

1 the e-mail to the Court. They weren't  
2 identified as exhibit numbers or anything.  
3 They were just attached as documents, so --  
4 Here, I'll just read -- I'll just mark this as  
5 D12 as I planned to.

6 So this is a copy of the Cross Complaint.  
7 And what I did is put the documents that were  
8 attached to the e-mail that went to the Court  
9 filed in the Cross Complaint, which were also  
10 identified in the body of the Cross Complaint.  
11 So I'm going to just -- The last exhibit --  
12 I'll just do it this way.

13 BY MS. DOUGHERTY:

14 Q So I'm back to the Cross Complaint, which I've  
15 marked as Exhibit D12 with the attachments  
16 that were sent to the Court. I just want to  
17 invite your attention to -- before we get to  
18 the exhibit -- to paragraph 12 where it says,  
19 "One of the attorneys was Mitchell Garabedian  
20 with whom an attorney/client relationship was  
21 established with Poulos on 12/18/2017." And  
22 then in parenthesis "Copy attached."

23 And then I'm directing your attention,  
24 Mr. Poulos, to what I've put as the very last  
25 page of D12. It says "Contingent Fee

1 Agreement" at the top. Is this what you were  
2 referring to by "Copy attached" in paragraph  
3 12 of the Cross Complaint?

4 A Yes.

5 Q And what is this page that's called Contingent  
6 Fee Agreement?

7 A It means he doesn't get paid unless there is a  
8 decision made in my favor. That he takes it  
9 not pro bono, but if we lose, you know,  
10 neither of us get anything. Same as if I get  
11 in a car accident and I pay for representation  
12 of the person who hit me, they're going to  
13 take it on contingency and then take a  
14 percentage of whatever the court affords me.

15 Q Okay. So when -- Let's do this. Is that your  
16 signature there at the bottom --

17 A Yes.

18 Q -- of the Contingent Fee Agreement? And it's  
19 got a "12/15/2017" next to it?

20 A Correct.

21 Q So when you signed the Contingent Fee  
22 Agreement, it was your understanding that  
23 Mr. Garabedian was going to provide you legal  
24 services?

25 A Correct.

1 Q And it looks like, directing your attention up  
2 to the top again, under the point one, which  
3 is parens 1, there is a paragraph that starts  
4 with, "Injuries caused by Matthew Ralston."

5 Is it correct as of December 15, 2017,  
6 you had told Mr. Garabedian that Matthew  
7 Ralston was the person who had abused you?

8 A Yes.

9 Q I'm directing your attention to number five,  
10 it's in parens. It says, "Client and lawyer  
11 agree that a complaint or lawsuit will not be  
12 filed in this matter because the statute of  
13 limitations has run or expired."

14 A Correct.

15 Q So at the time when you signed the Contingent  
16 Fee Agreement, you understood that  
17 Mr. Garabedian was not going to file a lawsuit  
18 for you because the statute of limitations had  
19 run or expired. Is that right?

20 A Correct.

21 Q Why were you retaining Mr. Garabedian if you  
22 didn't -- if Mr. Garabedian wasn't going to  
23 file a lawsuit for you?

24 MR. JUBB: Note my objection.

25 THE WITNESS: I retained legal

1 counsel because if and when something changed  
2 out in Pennsylvania, it would be better to be  
3 prepared than not.

4 BY MS. DOUGHERTY:

5 Q So is it correct that from December, 2017 you  
6 intended to file a lawsuit if the statute of  
7 limitations in Pennsylvania changed?

8 MR. JUBB: Note my objection.

9 REPORTER: I'm sorry. Your answer?  
10 Repeat your answer.

11 THE WITNESS: Yeah. My intention  
12 was to be prepared if that day were to come  
13 that I could and I knew what actions could be  
14 taken, and then I figured we would discuss how  
15 to go about it. As he stated multiple times,  
16 some of these cases can take five or six  
17 years. It's not going to be a five-month  
18 period.

19 BY MS. DOUGHERTY:

20 Q The "he" is Mr. Garabedian?

21 A Correct. Sorry.

22 Q No problem. So Mr. Garabedian suggested to  
23 you that it could take years for the statute  
24 of limitations in Pennsylvania to be changed,  
25 if ever. Is that right?



1 A Correct.

2 Q So you've gone through some of your  
3 communications with Mr. Garabedian with  
4 Mr. Jubb, and there seems to be some extensive  
5 time between the communications -- months or I  
6 think in one case a year.

7 Was it your expectation that you would  
8 have more contact with Mr. Garabedian while  
9 you were waiting to see if the statute of  
10 limitations in Pennsylvania changed?

11 MR. JUBB: Object to the form.

12 THE WITNESS: To an extent I just --  
13 I guess it's a matter of just checking in  
14 and -- I don't know -- making sure that  
15 somebody is still looking into this matter and  
16 it hasn't -- And I, of course, am not  
17 implicating that he would just be like, "Oh,  
18 just put it in a drawer somewhere," but I  
19 don't want it to be something that's just not  
20 somewhere in somebody's mind, like, "This is  
21 important."

22 Q Did you ever -- Let me start again.

23 Just jumping back to the letters if we  
24 could for a moment and I'll go back to the fee  
25 agreement.

1                   When you learned that Mr. Garabedian sent  
2                   letters, did you have an understanding of to  
3                   whom he sent the letters?

4           A     No.

5           Q     Did you know he sent them to some  
6                   representative of the school? Like, for  
7                   example, as compared to Mr. Ralston?

8           A     That would have been my assumption, that he  
9                   would have reached out directly to the  
10                  school's legal counsel.

11          Q     So did you ever have an expectation that  
12                  Mr. Garabedian would contact Mr. Ralston as  
13                  compared to the school?

14          A     No.

15          Q     So was it your objective from 2017 when you  
16                  retained Mr. Garabedian to pursue relief from  
17                  the school?

18          A     Correct.

19                         MR. JUBB: Note my objection.

20                         BY MS. DOUGHERTY:

21          Q     Did you ever talk to Mr. Garabedian about  
22                  whether you could recover money from the  
23                  school even though you couldn't then file a  
24                  lawsuit?

25          A     Yes.

1 Q What did you discuss with Mr. Garabedian about  
2 whether you could recover money from the  
3 school even though you could not file a  
4 lawsuit?

5 A He stated that the first route would be to  
6 contact the school directly, and I would  
7 believe that he meant contact the school  
8 directly through their legal representation.

9 Q What else did you discuss with Mr. Garabedian  
10 about recovering money from the school even  
11 though you could not then file a lawsuit  
12 against the school?

13 A I believe there was a discussion about whether  
14 or not after -- say there was a judgment or  
15 whatever -- I would be willing to go public  
16 with the name of my abuser, and I said "Only  
17 after there was a conclusion."

18 Q Did Mr. Garabedian share with you any  
19 experience that he had in recovering money  
20 from schools where a lawsuit couldn't be  
21 filed?

22 A Not to my recollection.

23 Q Did Mr. Garabedian ever explain to you why he  
24 thought you could recover money from the  
25 school even though at that moment you couldn't

1 file a lawsuit?

2 A I don't remember the exact verbiage, but we  
3 did go over some options about reaching out to  
4 the school, addressing the fact that the  
5 school basically instigated this entire  
6 situation by sending out false representation  
7 letters asking for alumni to come forward,  
8 telling them to talk to their counselors.

9 Q So like the school had a moral obligation to  
10 remedy the abuse you sustained?

11 A That's what my belief was based on the  
12 verbiage of the letter, until I found out that  
13 the two names in -- I believe it was the  
14 second letter from the school named people who  
15 I later found out were attorneys and not  
16 actual counselors. I guess "counselor" is a  
17 loose term, but I took that to mean  
18 therapists.

19 Q So you -- Did you discuss with Mr. Garabedian  
20 pursuing money from the school because the  
21 school had a moral obligation, even though you  
22 could not then file a lawsuit against the  
23 school?

24 A Correct.

25 Q I'm showing you a document which is a series

1 of e-mails that I've marked as D11. It's  
2 Bates labeled Garabedian\_File 0066 through 71.  
3 I'm just going to start on the last page. I  
4 want to scroll through it, Mr. Poulos.

5 And my question to you, if you can just  
6 look as I'm scrolling, is going to be to  
7 confirm whether these are the series of  
8 e-mails that you had with your mother that you  
9 described in your prior testimony after you  
10 received the letter from The Hill School.

11 And then if you can see, we're back on  
12 the first page where it looks like the chain  
13 gets forwarded to Mr. Garabedian.

14 So just inviting your attention back to I  
15 guess the first page to the second page -- We  
16 can go in reverse order -- it looks like there  
17 is an e-mail from the Headmaster Zachary  
18 Lehman P'16' -- that's the second page of  
19 D11 -- dated November 20, 2017, and there is  
20 an e-mail indicating your e-mail address at  
21 1:08 and then an e-mail from your mother,  
22 "Please tell me what you think" at 3:00 p.m.  
23 And then your mother again at 10:51, "Please  
24 call tomorrow at your convenience, Mom."

25 Are those the e-mails between you and

1           your mother after you received the letter from  
2           The Hill School that you described in your  
3           prior testimony?

4           A     Correct.

5           Q     And on November 20th you were in the Central  
6           Time Zone. You were in Wisconsin. Is that  
7           right?

8           A     No. I was in the Eastern Time Zone. I was in  
9           Connecticut.

10          Q     You were in Connecticut. So you were in  
11          Eastern and your mom was in Wisconsin. Is  
12          that right?

13          A     Correct.

14          Q     And then it looks like you sent that whole  
15          chain with your mom to Mr. Garabedian. Is  
16          that right?

17          A     I believe that would have been -- Yeah. I  
18          don't remember if I sent it directly after or  
19          if it was a forward of our conversation.

20          Q     If we just look back at D11, you can see that  
21          there is the e-mails that we just talked about  
22          on the second page between you and your mother  
23          on November 20th, and then there is an e-mail  
24          where there is no content. It's blank. But  
25          the header reflects your mom, to you,

1 December 5, 2017.

2 And then now squarely on the bottom of  
3 the first page there is an e-mail from you to  
4 Mr. Garabedian, December 13, 2017, that says  
5 "Thank you for your time and guidance through  
6 this," and it has those other e-mails that we  
7 looked through, right?

8 So it looks like a couple weeks later you  
9 forwarded the chain that you had with your  
10 mother to Mr. Garabedian. Is that right?

11 A Yes. That's what I believe.

12 Q Then Mr. Garabedian responded and said, "Be  
13 proud!" Is that right?

14 A Correct.

15 Q Was it your impression that -- Let me start  
16 again.

17 December 13, 2017, is after you had your  
18 first intake interview with Mr. Garabedian.  
19 Is that right?

20 A Yes.

21 Q And I realize you told us already that it was  
22 over the phone. Were there other people on  
23 the telephone call with you and  
24 Mr. Garabedian?

25 A I believe there was somebody from Mitchell's

1 office, but I was alone. I had asked my  
2 girlfriend to leave the apartment while I  
3 speak to him directly.

4 Q So it was you and Mr. Garabedian and another  
5 lawyer from Mr. Garabedian's office. Is that  
6 right?

7 A Another lawyer or legal aide. I'm not sure if  
8 I remember exactly who.

9 Q Was it your impression that Mr. Garabedian  
10 believed that you were telling him the truth  
11 about the sexual abuse that you had sustained?

12 A Yes.

13 MR. JUBB: I'll object to the form.  
14 BY MS. DOUGHERTY:

15 Q Did Mr. Garabedian say anything to you that  
16 led you to believe he believed you, that you  
17 had been sexually abused by Mr. Ralston?

18 A Yes. He asked for certain specifics if I  
19 could remember them and how it's affected my  
20 life throughout my relationships, my work  
21 habits, my alcohol and drug abuse and any  
22 other subsequent matters and how this has  
23 affected my basic overall well-being.

24 Q So Mr. Garabedian just didn't take your word  
25 for it that you had been sexually abused by



1 Mr. Ralston, he asked you questions, right?

2 A Correct.

3 MR. JUBB: Objection.

4 THE WITNESS: Correct. I believe we  
5 were on the phone for a couple of hours.

6 BY MS. DOUGHERTY:

7 Q It looks like -- We're back to D11. It's the  
8 second e-mail on the first page. It's from  
9 you to Mr. Garabedian December 15, 2017, 10:35  
10 a.m. In the -- Let's see here. It's the  
11 second line, so in the middle of paragraph it  
12 says, "There were multiple sheets that had me  
13 signing for release of medical records. There  
14 are no medical records, but I still signed  
15 them. Also, I didn't need to have this  
16 notarized, did I?"

17 What were you talking about you were  
18 "signing for release of medical records," if  
19 you remember?

20 A To the best of my recollection, I was  
21 questioning if he was asking if there was  
22 medical records pertaining to the abuse in  
23 Pottstown. I knew there was going to be other  
24 medical records, but I knew there weren't  
25 going to be -- The only medical record I have

1 in Pottstown is when I broke my arm freshman  
2 year.

3 Q Did Mr. Garabedian want all of your medical  
4 records?

5 A Yes.

6 MR. JUBB: I'll object.

7 BY MS. DOUGHERTY:

8 Q Did Mr. Garabedian ask you to sign releases  
9 for all of your medical records?

10 A Yes.

11 Q Did Mr. Garabedian tell you why he asked you  
12 to sign releases for all of your medical  
13 records?

14 A Not specifically.

15 Q Did you ask?

16 A Not to my recollection.

17 Q So as of at least December 15, 2017,  
18 Mr. Garabedian had asked you to provide  
19 releases so that he could obtain all of your  
20 medical records. Is that correct?

21 A Correct.

22 Q Was there anything -- Let me start again.

23 Were there any other releases or  
24 documents you signed so that Mr. Garabedian  
25 could get any other types of records other

1           than just your medical records?

2           A       There was 20 pages of releases. There was  
3                   obviously something more than just medical,  
4                   but I can't recall offhand. And we had --  
5                   like I stated previously, we had already  
6                   discussed any criminal background that I had,  
7                   so I'm sure there was a release -- Obviously  
8                   that's public record, so maybe I don't even  
9                   need to release that.

10          Q       So Mr. Garabedian asked you about your medical  
11                   history and then asked you to sign releases so  
12                   that he could get the actual medical records.  
13                   Is that correct?

14          A       Correct.

15          Q       And you discussed with Mr. Garabedian your  
16                   criminal history, and then Mr. Garabedian  
17                   expressed that he wanted to get actual records  
18                   relating to the criminal history?

19                   MR. JUBB: Note my objection.

20                   THE WITNESS: I don't believe that  
21                   he stated verbatim that. I just know that any  
22                   criminal records are basically public  
23                   knowledge, so I had been forthcoming with him  
24                   as far as what my criminal background was  
25                   and -- You know, if there was a release that I

1           needed to sign for him to get more  
2           information, then yes. But if not, he could  
3           easily obtain that with a credit card and a  
4           website.

5           BY MS. DOUGHERTY:

6           Q     So you don't have a recollection of  
7           Mr. Garabedian indicating the intent to get  
8           any criminal records. Is that right?

9           A     Correct.

10          Q     Did he ask you about your academic history?

11          A     I believe so.

12          Q     Did Mr. Garabedian ask you to sign any  
13          releases or provide him with any records  
14          relating to your academic history?

15          A     I believe that could have been one of the  
16          releases that I gave him, was that he could  
17          reach out to the universities to get  
18          transcripts.

19          Q     I realize that you said -- and you also wrote  
20          it at the time -- that there was a lot of  
21          material that you were signing. Other than  
22          medical, perhaps your academic records, is  
23          there any other type of records you remember  
24          Mr. Garabedian expressing to you that he  
25          wanted to obtain?

Kurtis N. Poulos

1 A Not to my recollection, no.

2 Q Sorry. It takes me a minute to share the  
3 screen because I -- I use WebEx, too, and it's  
4 literally the opposite so I do it the wrong  
5 way every single time.

6 So I'm showing you a document that I've  
7 marked D5. It's Garabedian\_File 0033 to 39.  
8 Right now I'm just on the first page of D5,  
9 which are handwritten notes.

10 Have you ever seen -- Again, I know we're  
11 just looking at the first page. Have you ever  
12 seen these notes before I just showed them to  
13 you?

14 A No.

15 Q Did you have a meeting -- Let me start again.

16 MR. JUBB: I didn't hear the answer.

17 MS. DOUGHERTY: He said "No."

18 BY MS. DOUGHERTY:

19 Q Right? Do you want to repeat it, Mr. Poulos?

20 A No.

21 Q I feel like by now you would tell us if you  
22 meant "Yes" when I said that you said "No,"  
23 but just making sure.

24 A Yes.

25 Q So December 12, 2017, that's when you had the

1 long telephone call with Mr. Garabedian and  
2 somebody else, right?

3 A Correct.

4 Q And if you look over to the right -- again,  
5 we're on the first page of D5 -- right at the  
6 top it says, "DM." Did you speak to somebody  
7 with the initials DM?

8 A I believe that would have been the second  
9 person that was in the room with Mitchell when  
10 I did my initial interview.

11 Q And it looks like, at least as of December 12,  
12 2017, you communicated during the telephone  
13 call that Matthew B. Ralston was your teacher,  
14 dorm master at The Hill School in Pottstown  
15 Pennsylvania. Is that right?

16 A He was a teacher -- He was my teacher but  
17 never my dorm master.

18 Q But did you communicate that he was somebody's  
19 dorm master to Mr. Garabedian and the other  
20 person on the phone?

21 A I believe so, yes.

22 Q And you identified on December 12, 2017 that  
23 Matthew B. Ralston sexually abused you when  
24 you were at The Hill School. Is that right?

25 A Correct.

Kurtis N. Poulos

1 Q Did you tell Mr. Garabedian and the other  
2 person on the phone that your name was Kurtis  
3 Nicholas Poulos?

4 A Yes.

5 Q That you were born October 10, 1978?

6 A Yes.

7 Q That your address -- see next to where it says  
8 "Address:" -- did you communicate that that  
9 Connecticut address was your address to  
10 Mr. Garabedian and the other person on the  
11 phone on December 12, 2017?

12 A Yes.

13 Q Did you tell Mr. Garabedian and the other  
14 person on the phone on December 12, 2017 that  
15 you hadn't served in the military and that you  
16 had no bankruptcies?

17 A Yes.

18 Q On December 12, 2017 did you tell  
19 Mr. Garabedian and the other person on the  
20 phone that you had been arrested in Wisconsin  
21 and Connecticut for breaking and entering,  
22 disorderly conduct, you had no felonies and no  
23 jail time?

24 A A couple of overnights, no serious jail  
25 time. And I did not at that moment believe I

0921a

1           had a felony. I thought it had been reduced  
2           to a misdemeanor.

3           Q     Okay. So just to be clear, you  
4           communicated -- We're just looking at the  
5           middle of the first page of D11 (sic) where it  
6           says "Arrested," right, and it says Wisconsin,  
7           Connecticut, "WI, CT," there is, like, a  
8           little section there.

9                     You communicated the information that's  
10           written there to Mr. Garabedian and his  
11           associate on December 12, 2017 and believed it  
12           to be true at the time, but you since realized  
13           that, you know, you were mistaken. Is that  
14           correct?

15          A     Correct.

16                     MR. JUBB: Objection.

17                     BY MS. DOUGHERTY:

18          Q     So you weren't intentionally trying to mislead  
19           anyone. You just misremembered?

20          A     Correct.

21                     MR. JUBB: Same objection.

22                     BY MS. DOUGHERTY:

23          Q     Did you tell Mr. Garabedian and the other  
24           person on the phone on December 12, 2017 that  
25           you weren't married, you had no children and



1           that you were then employed as a car salesman  
2           in Milford, Connecticut?

3           A     Yes.

4           Q     Did you tell Mr. Garabedian and the other  
5           person on the phone on December 12, 2017 that  
6           you had one younger brother and four half  
7           sisters?

8           A     Correct.

9           Q     There is a notation that says, "Childhood, dad  
10          violent, tough childhood." Do you know what  
11          that's about?

12          A     My dad when he was drinking and doing drugs  
13          when I was younger had a tendency to get  
14          violent with me and my younger half brother.

15          Q     These subject areas on the notes, are these  
16          things that you were just volunteering or was  
17          somebody asking you questions, like, "Are you  
18          employed?" "How was your childhood?" How did  
19          that go?

20          A     They were asking.

21          Q     Then it says, "Detox, no." Do you know what  
22          that's about?

23          A     I would assume if I've ever gone into any sort  
24          of inpatient therapy for drug or alcohol  
25          abuse, to go through a detox program and

1 counseling.

2 Q So was it Mr. Garabedian asking the questions  
3 or was it Mr. Garabedian and the other person  
4 on the phone during the first telephone call,  
5 December 12, 2017?

6 A I believe it was a mix.

7 MR. JUBB: I'll object, but go  
8 ahead.

9 BY MS. DOUGHERTY:

10 Q It was a mix?

11 A I believe so.

12 Q So during the telephone discussion on  
13 December 12th, 2017, somebody asked you  
14 whether you had gone through a detox program?

15 A I believe so.

16 Q And you said "No," right?

17 A Correct.

18 Q Now, it says, "Psychology, yes. Mom would  
19 know, late '90s. He'll send us the names."

20 Did you have a discussion about whether  
21 you received psychological treatment or mental  
22 health treatment during the December 12, 2017  
23 telephone call with Mr. Garabedian and the  
24 other person?

25 A Yes, I had. Well, I did speak about that with

1 him, and none of it was regarding the matter  
2 at hand.

3 Q Right. So you had mental health treatment but  
4 not related to the sexual abuse imposed upon  
5 you by Matthew Ralston. Is that right?

6 A Correct.

7 MR. JUBB: I'll object.

8 BY MS. DOUGHERTY:

9 Q Did you express the nature of the mental  
10 health services that you received during the  
11 telephone call on December 12, 2017? You  
12 don't have to tell me what they were, I just  
13 want to know if you told them to  
14 Mr. Garabedian and the other person.

15 A I believe so. I don't know if I got into too  
16 many specifics. But I did tell them that I  
17 had been in therapy off and on since I was  
18 seven or eight years old.

19 Q And did you communicate that you hadn't sought  
20 treatment specifically because of the sex  
21 abuse? Is that why you were making that  
22 distinction to me a couple moments ago?

23 A Yes.

24 Q So we're on to the second page of D5. There  
25 is a heading that says, "Schools," and then

1           there is some information under it.

2                   Can you just scan through it and confirm  
3           for me that this is information that you  
4           provided to Mr. Garabedian and the other  
5           person on the phone during the telephone call  
6           of December 12, 2017?

7           A     Yes. He just wrote down the name of -- The  
8           elementary school is wrong. It's Lake Bluff,  
9           not Lake Russell.

10          Q     Okay.

11          A     Everything else is completely accurate. I  
12          don't know about the dates on the left,  
13          because if those are supposed to match up  
14          with -- because they don't, obviously. I  
15          didn't get to Marquette University until, you  
16          know, fall of '97.

17          Q     So is it -- Did I understand your answer that  
18          you provided information about the schools  
19          that you attended, and it looks like somebody  
20          broke down some of the names and dates, but  
21          some of the information that was written down  
22          is not necessarily correct. Is that right?

23          A     Correct. I went to UWM, which is  
24          UW-Milwaukee, not UW-Madison. That's just UW.

25          Q     We're going to talk a little bit more about

1 the telephone call, but just while we're  
2 there, did anybody, like, send you, like, a  
3 summary or a type-up of what you discussed  
4 during the telephone call on December 12, 2017  
5 after the telephone call?

6 A Not to my recollection.

7 Q And were you giving this information about  
8 schools because somebody asked you questions  
9 about where you went to elementary school,  
10 high school, university?

11 A Yes.

12 Q Then there is a section here that says,  
13 "Addresses," and "Social Security number."  
14 Can you just peruse that information and  
15 confirm for me whether that's information that  
16 you provided to Mr. Garabedian and the other  
17 person on the phone on December 12, 2017  
18 regarding addresses and your Social Security  
19 number?

20 A Yes.

21 Q Somebody asked you to provide your addresses  
22 and Social Security number?

23 A To the best of my recollection.

24 Q Do you know why? I'm sorry. Keep going.

25 A I mean, like, to the best of my recollection,

Kurtis N. Fouros

1           yes, somebody asked me for the addresses. I  
2           didn't ask why.

3           Q     Did anybody explain why they were asking for  
4           your addresses and Social Security number?

5           A     No. I just assumed it was due diligence.

6           Q     So you had the impression that Mr. Garabedian  
7           or the other person on the phone they were  
8           going to, like, check into what you were  
9           telling them?

10          A     Exactly.

11                         MR. JUBB: Objection to the form.

12                         BY MS. DOUGHERTY:

13          Q     Is there something that gave you that  
14          impression?

15          A     With my initial interview with Mitchell, it  
16          wasn't so cut and dry as like, "Oh, yeah,  
17          we're just going to do this." He, I was  
18          assuming, was doing his due diligence to make  
19          sure I am who I am and was where I was during  
20          certain dates and times.

21          Q     So as of the December 12, 2017 telephone call,  
22          at the start of it had Mr. Garabedian already  
23          agreed to represent you, or was it your  
24          understanding he was interviewing you to  
25          determine whether he would agree to represent

0928a

1           you?

2           A     Interviewing me to agree to represent me.

3           Q     And at some time after the December 12, 2017  
4                 telephone call, Mr. Garabedian told you that  
5                 he would agree to represent you, and he signed  
6                 the Contingent Fee Agreement that we looked at  
7                 a few moments ago?

8           A     (Inaudible response)

9                         REPORTER:   What was the answer?

10                        THE WITNESS:   Correct.

11                       BY MS. DOUGHERTY:

12          Q     So then it says -- again, we're on the second  
13                 page of D5, getting towards the bottom -- it  
14                 says "Hill-Perp."   Do you know what that  
15                 refers to?

16          A     Yeah, the perpetrator.

17          Q     Is that terminology that Mr. Garabedian and  
18                 the other person on the phone used, "Perp"?

19          A     I don't remember if that was their exact  
20                 verbiage.   They might have asked me who the  
21                 abuser was.   I don't recall exactly how they  
22                 stated it.

23          Q     Okay.   So it says "Sophomore year geometry  
24                 teacher, freshman year met Perp."   Is that  
25                 information that you provided?

1 A Yes.

2 Q Under "Perp," it says -- keep going down the  
3 second page of D5 -- there is a heading that  
4 says "Perp," and it says, "Tall, skinny,  
5 gangly, buzzed hair, no glasses, clean living  
6 guy, runner, people liked him, good teacher."  
7 Did somebody ask you to describe Mr. Ralston?

8 A Yes.

9 Q And is that a description that you provided  
10 about Mr. Ralston?

11 A Yes.

12 Q Then we're going on to the third page of D5.  
13 It says, "Senior year, Perp CLs dorm master."  
14 So that's incorrect, right? Somebody  
15 misunderstood?

16 A He was living in my dorm but he was not my  
17 dorm master.

18 Q Gotcha. Who was the dorm master during your  
19 senior year? You might have told us. I  
20 apologize, but --

21 A Senor Romero (Phonetic).

22 Q So you weren't suggesting that that gentleman  
23 sexually abused you, just somebody obviously  
24 misunderstood your comment that Mr. Ralston  
25 lived in the dorm as your dorm master, right?



1           A     Yes. I believe we had five teachers my senior  
2                   year living in that dorm as dorm masters, one  
3                   on the first floor on one side and one on the  
4                   first floor on the other side and the same on  
5                   the second floor. And then Mr. Ralston's  
6                   apartment entrance was by the parking lot by  
7                   the garage under -- basically underneath our  
8                   dorm.

9           Q     Now, let's keep our time frame at the moment  
10                  limited to the December 12, 2017 telephone  
11                  call. Did you tell Mr. Garabedian and the  
12                  other person on the phone that anyone other  
13                  than Matthew Ralston had sexually abused you?

14          A     No.

15          Q     Did you tell Mr. Garabedian and the other  
16                  person on the phone that any other teacher at  
17                  The Hill School had abused you but not  
18                  sexually?

19          A     Possibly, because there was some verbal abuse  
20                  by my freshman -- or my third form hall  
21                  master.

22          Q     Who was that again?

23          A     I don't recall his name.

24          Q     Was it Tom Ruth?

25          A     No. Tom Ruth lived on the first floor. I

1 lived on the third floor.

2 Q Did you have any issue with Tom Ruth's  
3 behavior?

4 A He was just a crotchety old man. I really  
5 didn't. You know, he was never one of my  
6 professors when I was attending The Hill  
7 School.

8 Q I'm just going to -- Just while we're here,  
9 I'm showing you a document that I've marked as  
10 D9. It's Garabedian\_File 0040. Have you  
11 ever -- I'm just showing you the top of the  
12 page. I can scroll down for you.

13 Have you ever seen this document before I  
14 just showed it to you?

15 A I've never seen any handwritten documents from  
16 Mitchell's office.

17 Q Okay. So over to the top right it says under  
18 "Perps," "Tom Ruth, Mr. Rolstin." Do you have  
19 any idea why somebody would identify Tom Ruth  
20 as a perp?

21 A I do believe that I was asked if I knew of any  
22 other teachers, and I had heard allegations of  
23 Tom Ruth with other students as I had heard  
24 about numerous other female teachers with male  
25 students. I just couldn't recall all of the

1 names. Those -- One applied to me, one  
2 applied to, again, only rumors that I don't  
3 know were ever substantiated.

4 Q So you didn't tell Mr. Garabedian or the  
5 person on the phone that Mr. Ruth had acted  
6 inappropriately with you, but you told him  
7 that you had heard about situations where he  
8 had allegedly acted inappropriately with other  
9 students. Is that right?

10 A Yes.

11 Q Was there some reason why you were talking  
12 about other teachers other than Mr. Ralston  
13 during the December 12, 2017 telephone call?

14 A He asked if I believed this was an isolated  
15 event with just this one professor at the  
16 school, and I had heard rumors of -- He would  
17 have the hookah tea parties in his apartment  
18 and invite students over. I was never one of  
19 his students.

20 And to the best of my knowledge, I think  
21 I was in his apartment once and that was  
22 because I was going to be in his AP class the  
23 following year as a sophomore.

24 Q Now that you mentioned the hookah, I think I  
25 remember you told us about what you had heard

1           about Mr. Ruth during one of your prior days  
2           of testimony.

3                       So Mr. Garabedian or the other person on  
4           the phone asked you about other instances  
5           where teachers at The Hill School had acted  
6           inappropriately during the December 12, 2017  
7           telephone call. Is that correct?

8       A     Correct. And like I stated before, there were  
9           other female teachers that were rumored to  
10          have sexual relationships with male students;  
11          but again, I wasn't in the room. I can't -- I  
12          think I remember what they did at the school,  
13          but I can't be 100 percent certain and I  
14          wouldn't want to throw somebody under the bus.

15       Q     So as of December 12, 2017 your objective was  
16          to pursue some relief from The Hill School.  
17          Is that right?

18       A     Correct.

19                       MR. JUBB: Objection.

20                       BY MS. DOUGHERTY:

21       Q     Is that why you were discussing with  
22          Mr. Garabedian and the other person on the  
23          phone other activity by people other than  
24          Mr. Ralston or directed to you that occurred  
25          at The Hill School?

1 A Correct.

2 MR. JUBB: Objection to the form.

3 BY MS. DOUGHERTY:

4 Q So I've flipped back to D5 back to where we  
5 left off on the third page where it says,  
6 "Sexual abuse." It says "Over twelve times."  
7 Did you tell Mr. Garabedian and the person on  
8 the telephone call that you had been sexually  
9 abused by Mr. Ralston over twelve times during  
10 the December 12, 2017 telephone discussion?

11 A I believe I said it was at least ten times, if  
12 not more.

13 Q Did you go through each instance that you  
14 could then remember on December 12, 2017  
15 during the telephone call with Mr. Garabedian  
16 and the other person?

17 A Not in so many specifics, because at that  
18 point, if I can recall correctly, I was  
19 beginning to break down and we sort of moved  
20 on.

21 Q So you told Mr. Garabedian and -- Well, it  
22 says here -- Let me start again.

23 D5, third page, it says "Began freshman  
24 year, 14 years old, ended sophomore year 16  
25 years old, happened in PA. CL never had perp

1 for a coach-sports."

2 Is that information that you communicated  
3 to Mr. Garabedian and the other person on the  
4 phone on December 12, 2017?

5 A To a degree. I don't believe that I stated  
6 the part about freshman year. I mean, there  
7 was nothing to my recollection at this point  
8 of freshman year. It was all sophomore year  
9 when he was my geometry teacher.

10 Q When you started your freshman year, were you  
11 14 years old?

12 A Correct.

13 Q And when you ended your sophomore year, you  
14 were 16 years old. Is that right?

15 A Correct.

16 Q It says, "Happened in study, cubicles in  
17 basement of school, also CLs --" I'm sorry.  
18 (Zoom crosstalk)

19 A There was cubicles in the basement of the  
20 library where there were, like, one door, no  
21 windows, and basically you just went in. You  
22 had a desk and it was to do your -- We had  
23 mandatory study hours every night after  
24 dinner, and if you wanted some alone time, you  
25 would go down into those cubicles.

1                   And rarely were they used, so it was kind  
2                   of a good place to, you know, bone up before  
3                   an exam or write a term paper and not be  
4                   bothered by anybody.

5           Q       Were you sexually abused by Mr. Ralston in the  
6                   study room?

7           A       I was approached by him.

8           Q       Can you tell us about that?

9           A       I don't know if it was supposed to intimidate  
10                  me, but it was one of those things where I was  
11                  probably one of the only, if not the only  
12                  student down there.

13                       And I remember, like, basically being  
14                       written -- or read the riot act about "Why are  
15                       you down here? You're a third form. Why are  
16                       you down here this late?" And it was, you  
17                       know, 15 or 20 minutes before dorm curfew and  
18                       I was in the middle of writing a term paper.

19          Q       So you thought that Mr. Ralston was  
20                   intimidating you?

21          A       Kind of like, "Get out of here and go back to  
22                   your dorm," and "I have authority and you  
23                   don't really have any."

24          Q       This incident in the study room, did it happen  
25                   before or after the first time that

1 Mr. Ralston touched you inappropriately?

2 A Before.

3 Q So before there was any type of physical  
4 contact between you and Mr. Ralston, that's  
5 when the study room incident occurred. Is  
6 that right?

7 A Correct.

8 Q And that was -- Let me start again. The study  
9 room incident was an interaction that you had  
10 with Mr. Ralston that you thought was  
11 inappropriate and made you feel uncomfortable.  
12 Is that right?

13 A Yeah. I don't believe I ever went back down  
14 there to do any extracurriculars or study  
15 alone again.

16 Q And you told Mr. Garabedian and the person on  
17 the telephone on December 12, 2017 the  
18 information that you just relayed about the  
19 incident in the study room?

20 A Correct.

21 Q Then it says, "Also CLs single dorm, no  
22 roommate." Do you know what that's about?

23 A Yeah. My sophomore year the roommate that I  
24 was supposed to have didn't end up attending  
25 the school, so they moved the other bed out of



1 the room and I had a single.

2 Q So it's not the case that Mr. Ralston abused  
3 you in your dorm room. Is that right?

4 A Correct.

5 Q Did you -- You didn't tell Mr. Garabedian or  
6 the other person on the phone on December 12,  
7 2017 that you were abused in the dorm room,  
8 right?

9 A No.

10 Q It says, "Never in perp's room." You never  
11 went to Mr. Ralston's room. Is that right?

12 A Correct. I never entered -- I never once in  
13 the three years that I attended the school  
14 entered his apartment. I didn't know until my  
15 sixth form year where he even lived on campus.

16 Q Right. I think my question was a little  
17 misleading because there was a time that you  
18 actually went to his room and knocked on the  
19 door and interacted with his wife over your  
20 car, right?

21 A Correct.

22 Q But you never actually went inside. Is that  
23 correct?

24 A No. She wouldn't even open the door. She  
25 just said they would move the car in the

1 morning.

2 Q So at no time that you were at The Hill School  
3 you never went inside Mr. Ralston's room. Is  
4 that right?

5 A Other than his classroom, no.

6 Q All right. It says, "Three of the four years  
7 of high school CL went junior year. Left  
8 Hill." And then it says, "Not weird for perp  
9 to come to room-PERS, a dorm master in another  
10 dorm. Teachers would show up and come in the  
11 room." Do you know what that was about?

12 A Yeah. I mean, every once in a while if you're  
13 a student and you're struggling, you either go  
14 to somebody's -- you know, if, like, my third  
15 form year I was having trouble with English  
16 composition, so I would go to my third form  
17 English teacher's apartment and she would  
18 tutor me during study hours.

19 I mean, there were times where my fourth  
20 form English teacher would show up. If you  
21 slept in on a Saturday, she'd pound on your  
22 door and bring you down to class. I mean, it  
23 just wasn't weird for teachers to be coming  
24 and going during specific hours, specifically  
25 our study hours, with somebody just being,

1           like, "Oh, he's either here to help him teach  
2           or learn," or -- you know, "He's just making  
3           sure that he's got what he needs for his  
4           class."

5           Q     So Mr. Garabedian or the other person on the  
6           phone asked you during the telephone call on  
7           December 12, 2017 about whether teachers  
8           access dorm rooms. Is that how this came up?

9           A     Correct. And basically, once you're in your  
10          room, you are after a certain time of night  
11          allowed to shut your door but you're never  
12          allowed to lock it. And the majority of the  
13          students for that same reason would just leave  
14          their doors wide open during study hall.

15                I mean, it's kind of like being in class.  
16          You are yelling across the hallway, you know,  
17          sharing notes or whatever, maybe when you  
18          weren't supposed to be talking, but it is what  
19          it is.

20          Q     So is it a fair characterization or an unfair  
21          characterization -- I guess you can tell me if  
22          it's not a fair characterization -- is it a  
23          fair characterization that Mr. Garabedian and  
24          the other person on the phone during the  
25          December 12, 2017 telephone call were

Kurtis N. Fouros

1 interested in how The Hill School worked in  
2 general -- general information about how the  
3 teachers interacted with students, how classes  
4 worked, where things were?

5 A Correct.

6 MR. JUBB: I'll object.

7 BY MS. DOUGHERTY:

8 Q Did you have an understanding about why  
9 Mr. Garabedian or the other person on the  
10 phone were asking so many questions about The  
11 Hill School during the December 12, 2017  
12 telephone call?

13 A I'll revert back to the letter --

14 MR. JUBB: Objection.

15 THE WITNESS: I'll revert back to  
16 the letter that I received from the school  
17 stating, "We know that this had happened."  
18 And it wasn't a single individual or single  
19 instance, so I'm assuming they were trying to  
20 gauge the likelihood of how many teachers or  
21 how likely it would be for people to come and  
22 go without any sort of checks and balances  
23 besides if you're an under form and you have  
24 to check out with your prefect in order to go  
25 to the library or go to a teacher's apartment

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1 to get some extra tutoring for a subject.

2 Q It says, "CLs dorm supervisor Mr." Underscore,  
3 "six prefects, sophomore dorm, CL does not  
4 have yearbooks."

5 Then on the bottom -- Again, we're on the  
6 third page of D5, right at the bottom where it  
7 says "Sexual abuse."

8 A Yes, I'm reading it. Okay.

9 Q How far did you read?

10 A I read the whole thing.

11 Q From "Sexual abuse" down to "Mom came to town  
12 at hotel CL came back to"?

13 A Correct.

14 Q Is that information -- that's the bottom of  
15 the third page starting to the fourth page of  
16 D5 -- is that information that you  
17 communicated to Mr. Garabedian and the other  
18 person on the phone during the December 12,  
19 2017 telephone call?

20 A To the best of my recollection, yes.

21 Q I think you said that you didn't go into the  
22 same level of detail that you went into,  
23 during your testimony here, during the first  
24 telephone call, the December 12, 2017  
25 telephone call, because you broke down and got

1           upset?

2           A     Correct.

3           Q     I'm just going to scroll a little bit more.

4                 So we're at the top of the fourth page of D5.

5                 It says, "Perp told CL 'our time' for us, no  
6                 one else." What's that about?

7           A     Basically I was going to be living in the same  
8                 building and I didn't know what he really  
9                 meant by that. It just -- It struck me that  
10                it was odd that he went out of his way, not  
11                being my dorm master, to come and approach me.  
12                He wasn't going to be my professor or my dorm  
13                master. We had really no reason to interact.

14          Q     So the words in the quotes, "our time," that's  
15                 something that Mr. Ralston said to you?

16          A     Something to that effect.

17          Q     Was that before or after he started sexually  
18                 abusing you?

19          A     After.

20          Q     Then after the dashed bottom line that you  
21                 already confirmed, it says, "Dorm, parked car,  
22                 perp blocked CLs car."

23                 Those two sentences there, the top of the  
24                 fourth page of D5, that's describing the  
25                 interaction you had with Mr. Ralston where

1           your car was blocked during parents weekend,  
2           right?

3           A     Correct.

4           Q     And you shared information about that  
5           interaction regarding your car and Mr. Ralston  
6           during parents weekend with Mr. Garabedian and  
7           the other person on the phone during the  
8           December 12, 2017 telephone call?

9           A     Correct.

10          Q     It says, "CL thinks perp's wife knew  
11          something." What's that about?

12          A     Just in my recollection, the way that she  
13          addressed the situation where I was trying to  
14          leave, and she was super defensive and being,  
15          like, "My husband has every right to do what  
16          he's doing," and was very -- I don't want to  
17          say aggressive, but defensive of his actions.

18                   MS. DOUGHERTY: Hold on one second.  
19          Lane is waving. I think he can't hear us. I  
20          don't want you to get too far. Can you hear  
21          us, Lane? We can't hear you.

22                   REPORTER: Should we go off the  
23          record?

24                   MS. DOUGHERTY: Yeah, I think so.

25                   VIDEOGRAPHER: The time is 1:06. We

1 are off the record.

2 (Off the record. Recess taken.)

3 MS. DOUGHERTY: Can we just -- We  
4 don't need video at the moment, but can we be  
5 on the stenographic record?

6 VIDEOGRAPHER: The video is off.  
7 Just let me know whenever you're done and when  
8 to go back on video.

9 MR. JUBB: Why are we taken off the  
10 video?

11 MS. DOUGHERTY: We can go on video  
12 for this. I wanted to ask Mr. Poulos about  
13 his comment that he has to leave and address  
14 that before we got back into the testimony,  
15 but we can go on video for that.

16 MR. JUBB: I didn't hear anything  
17 along those lines.

18 MS. DOUGHERTY: I know you didn't.  
19 That's why I wanted to go on the record and  
20 address that before we got back into his  
21 testimony. Do you want that on the video?

22 MR. JUBB: Yes, please.

23 MS. DOUGHERTY: Can we go back on  
24 the video, please?

25 VIDEOGRAPHER: Stand by. The time



Kurtis N. Poulos

1 is 1:19. We are back on the record.

2 MS. DOUGHERTY: Okay. Mr. Poulos, I  
3 don't think that Mr. Jubb heard your comments  
4 that you need to leave at a certain time. Can  
5 you repeat those?

6 THE WITNESS: Yes. I stated in the  
7 e-mail I have to do a vehicle delivery at  
8 two -- Well, around 3:00 p.m. my time, which  
9 means I need to leave here around two to get  
10 to work, make sure the vehicle is prepped and  
11 ready for the delivery. This was the only day  
12 that my client had available to pick up the  
13 car.

14 MS. DOUGHERTY: Okay. So you would  
15 need to leave, just so we're clear, in  
16 40 minutes? I apologize for talking over you.  
17 Did I freeze?

18 REPORTER: He froze.

19 MS. DOUGHERTY: Are you there,  
20 Mr. Poulos?

21 THE WITNESS: I'm here.

22 MS. DOUGHERTY: You froze there, so  
23 I wasn't trying to speak over you. You were  
24 saying something like it was the only time  
25 your client could do it. Could you just say

1           that again?

2                       THE WITNESS:   Yes.   It's the only  
3           time that my client can take delivery of her  
4           new vehicle.   And if I'm not there to do the  
5           delivery, I don't get credit or commission for  
6           the vehicle sale.

7                       MS. DOUGHERTY:   Okay.   So then you  
8           need -- You're telling us that you need to  
9           leave in 40 minutes.   Is that right?

10                      THE WITNESS:   I need to sign off of  
11           here in about 40 minutes, yes.

12                      MS. DOUGHERTY:   Is there -- Are you  
13           able to come back after a period of time  
14           today?

15                      THE WITNESS:   Not later today --  
16           (Zoom crosstalk)

17                      MS. DOUGHERTY:   That was my  
18           question.   I know it was unclear.   I wasn't  
19           sure how long the vehicle delivery would take.  
20           I don't know that I have -- I don't know that  
21           I would be done in 40 minutes.   I don't know  
22           that I have much more than 40 minutes, but  
23           Mr. Jubb is also permitted to ask questions  
24           after me, so I'm not sure that we will be done  
25           by -- in 40 minutes.

1 I'm okay with stopping and resuming on  
2 another day because of your work commitment,  
3 but you need to commit to come back to let  
4 whoever is in the middle of their questioning  
5 finish their questioning.

6 Again, I told you that I don't know that  
7 I have all that much. 40 minutes is cutting  
8 it close, but Mr. Jubb then has an opportunity  
9 to ask follow-up questions.

10 THE WITNESS: All right. Let's just  
11 get through as much as we can as quickly as  
12 possible.

13 MS. DOUGHERTY: Okay. So the court  
14 reporter is going to read back my question.  
15 It was -- Mr. Jubb stopped -- We figured this  
16 out -- he was unable to hear the question  
17 about -- I'll put it back up -- "CL thinks  
18 perp's wife knew something," and I interrupted  
19 you in the middle of your answer.

20 So the court reporter is going to read  
21 the question and your answer back, and then,  
22 if you could, complete your answer when she  
23 lets you know it's okay for you to keep  
24 talking. Is that okay with you?

25 THE WITNESS: Yes. That's fine.

1 MS. DOUGHERTY: So I've put D5 back  
2 up on the screen.

3 (Reporter read previous question and answer:  
4 "Question: It says, 'CL thinks perp's wife  
5 knew something.' What's that about? Answer:  
6 Just in my recollection, the way that she  
7 addressed the situation where I was trying to  
8 leave, and she was super defensive and being,  
9 like, 'My husband has every right to do what  
10 he's doing,' and was very -- I don't want to  
11 say aggressive, but defensive of his actions."

12 MS. DOUGHERTY: Is it okay for  
13 Mr. Poulos to finish his answer?

14 REPORTER: Yes.

15 MS. DOUGHERTY: I just wanted to  
16 make sure the court reporter was back in a  
17 place that she could --

18 BY MS. DOUGHERTY:

19 Q So Mr. Poulos, I interrupted you when you were  
20 giving that answer. Would you like to finish  
21 your answer?

22 A That's the end of it.

23 Q All right. Then it says, "Young teacher, CL  
24 told him about --" Let me start again.

25 So you told Mr. Garabedian that you

1 thought that Mr. Ralston's wife knew that  
2 Mr. Ralston was engaging in inappropriate  
3 contact?

4 A I mean, at least aggressive contact toward  
5 students (Zoom crosstalk) -- me.

6 Q Towards you, did you say?

7 A Yes.

8 Q So during the December 12, 2017 telephone  
9 call, do you remember what you expressed to  
10 Mr. Garabedian and the other person on the  
11 phone about what you thought Mr. Ralston's  
12 wife knew?

13 A Just that she knew that we had a contentious  
14 relationship at this point, and obviously  
15 being his wife is going to take his side of  
16 whatever situation we're in, hence the whole  
17 me trying to leave when I already had  
18 permission to leave and she wouldn't even  
19 bring him to the door.

20 Q Okay. So the context in which Mr. Ralston's  
21 wife came up was relating to the incident with  
22 the car being blocked in during parents  
23 weekend, right?

24 A Correct.

25 Q The other person on the phone during the

1 December 12, 2017 telephone call, was that a  
2 man or a woman, if you remember?

3 A I believe it was a man.

4 Q So Mr. Garabedian, you and a man?

5 A Correct.

6 Q We've been talking about D5, and we looked at  
7 D9 a little bit, those other notes. Does  
8 anything during our discussion about the notes  
9 or the telephone call on December 12, 2017,  
10 refresh your recollection about the identity  
11 of the man on the phone in addition to you and  
12 Mr. Garabedian?

13 A Not to my recollection.

14 Q So continuing with D5, page four. It says,  
15 "Young teacher, CL told him about car  
16 incident. Mr. Lahey --" and then it keeps  
17 going, "25 years old, football, teacher, dog,  
18 '82 Firebird." What's that about?

19 A Mr. Lahey -- I had the wrong teacher's name.  
20 Mr. Lahey I believe was my Shakespeare  
21 teacher. But we did have a younger  
22 football -- I think he was one of the JV  
23 coaches who lived on the second floor who had  
24 a dog and a Firebird, and I told him about the  
25 incident and he said that it was unacceptable.

1 Mr. Romero also said it was unacceptable but  
2 to just let it go.

3 Mr. Lahey was (Audio distortion) the  
4 teacher than the one stated as being one of  
5 the dorm master's in my six form dorm.

6 Q So during the December 12, 2017, telephone  
7 call, you identified Mr. Lahey as someone who  
8 you told about the car incident. And you  
9 realize now that Mr. Lahey was the wrong name,  
10 but you still -- the description and the fact  
11 that you told a younger teacher about the  
12 incident, that's correct, right?

13 A Correct.

14 Q And then it says, "No drugs --" I'm sorry.

15 A No, that's it.

16 Q It says, "No drugs/alcohol." Did you tell  
17 Mr. Garabedian and the other gentleman on the  
18 phone during the December 12, 2017 telephone  
19 call that you didn't take drugs and alcohol?

20 A I believe it was more addressing whether or  
21 not I was given drugs or alcohol.

22 Q Did you discuss with Mr. Garabedian and the  
23 other gentleman on the phone during the  
24 December 12, 2017 telephone call whether you  
25 consumed drugs and alcohol when you were at

1 The Hill School?

2 A Probably did. And yes, I did.

3 Q But you also confirmed for Mr. Garabedian and  
4 the other gentleman during the December 12,  
5 2017 telephone call that Mr. Ralston wasn't  
6 the source of the drugs and alcohol. Is that  
7 right?

8 A Correct.

9 Q Was any other teacher at The Hill School the  
10 source of the drugs and alcohol that you  
11 consumed when you were at The Hill School?

12 A No.

13 Q Then it says, "Perp, six-foot, lanky, tall,  
14 runner, short haircut, white." Is that a  
15 description that you provided to  
16 Mr. Garabedian and the other gentleman on the  
17 phone during the December 12, 2017 telephone  
18 call relating to Mr. Ralston?

19 A Correct.

20 Q "No other sexual abuse." Is that "No other  
21 sexual abuse" by anyone other than  
22 Mr. Ralston?

23 A Correct.

24 Q Then it says, "CL told," and it says "1,  
25 mother, in early 30s, 4/5 years ago."



1 A Yes.

2 Q So you told your mother four or five years  
3 before the telephone call on December 12,  
4 2017, about the abuse by Mr. Ralston?

5 A Not his specific name; but yes, I told her  
6 there was abuse at the school.

7 Q That you sustained abuse at the school. Is  
8 that right?

9 A Correct.

10 Q That you sustained sexual abuse at the school?

11 A Yes.

12 Q And your mother guessed that it was  
13 Mr. Ralston?

14 A She deduced, not "guessed."

15 REPORTER: I'm sorry. What was the  
16 answer?

17 THE WITNESS: She deduced it, not  
18 guessed.

19 BY MS. DOUGHERTY:

20 Q And you told Mr. Garabedian and the other  
21 gentleman who participated in the December 12,  
22 2017, telephone call that you told your mother  
23 about sexual abuse that you sustained at The  
24 Hill School four or five years before the  
25 telephone call. Is that right?

1 A Correct.

2 Q And then there is some comment -- there is  
3 some dashes, it says, "Everybody father,  
4 Hill." Do you see those three lines there?  
5 Can you read them to yourself?

6 A "Everybody proud the client went to The Hill  
7 School, so it was hard."

8 Q Is this information, is that something you  
9 communicated to Mr. Garabedian and the  
10 gentleman on the telephone call on  
11 December 12, 2017?

12 A Yes.

13 Q Same with, "Father didn't want CL going  
14 there"?

15 A Correct.

16 Q And "The Hill expensive school, had to wear  
17 uniform." Is that information you  
18 communicated?

19 A Yes. I mean, it wasn't -- I think we were  
20 just asking about certain specifics about what  
21 life was like there. It was, you know, if we  
22 had a dress code or whatever.

23 Q Then it says number two -- again, we're still  
24 under the heading of "CL told." We're on the  
25 fourth page of D5 at the bottom.

1                   It says "2, girlfriend, she used it  
2                   against him." That's the girlfriend we talked  
3                   about before who -- (Zoom crosstalk)

4           A       The one in Connecticut.

5                   REPORTER: Go ahead.

6                   BY MS. DOUGHERTY:

7           Q       And that's the one who saw the letters from  
8                   the school, and then you disclosed that you  
9                   had been abused. Is that right?

10          A       Correct.

11          Q       And then what is "She used it against him"?  
12                   Did you tell Mr. Garabedian and the other  
13                   gentleman on the phone on December 12, 2017  
14                   something about your girlfriend using your  
15                   disclosure of sexual abuse against you?

16          A       Yes. That she basically stated it was  
17                   probably something that I would have wanted to  
18                   happen, and she wouldn't be surprised if other  
19                   people had done it to me.

20                   It was the middle of a fight and it was,  
21                   you know, the ugliest thing she could possibly  
22                   say to hurt me.

23          Q       Now we're on the fifth page of D5. It says,  
24                   "CL had tough time fitting in school." Is  
25                   that something you communicated to

1 Mr. Garabedian and the other gentleman on the  
2 phone during the telephone call on  
3 December 12, 2017?

4 A Yes.

5 Q So I've centered the page so you can see the  
6 line, it starts "Freshman year" and it ends,  
7 "They got rid of ski team."

8 Can you just read that to yourself and  
9 confirm for me whether that's information you  
10 shared with Mr. Garabedian and the other  
11 gentleman on the phone during the December 12,  
12 2017 telephone call?

13 A Yes.

14 Q It says, "CL knows of victims of other  
15 teachers." What's that about?

16 A That I heard rumors that other teachers had  
17 been abusing students. Again, in retrospect,  
18 I can only say, like, if you're a male student  
19 sleeping with an older female teacher, it's  
20 kind of like a thumbs up from all of the male  
21 students.

22 But any of the male students who were  
23 being abused, it was just rumors. The other  
24 stuff was students sort of bragging, like,  
25 "Oh, I'm sleeping with so and so."

1 Q Okay. So without regard to whether it's a  
2 thumb ups, you were still describing instances  
3 of child abuse. Is that right?

4 A Correct. That's what I'm saying. Like in  
5 retrospect, now I know it's wrong. Back then  
6 it was sort of like, "Oh, wow. This guy is  
7 cooler than we thought."

8 Q Did Mr. Garabedian or the other gentleman on  
9 the phone during the December 12, 2017  
10 telephone call ask you if you knew of other  
11 victims of child abuse?

12 A Yes. Or who I believed, yes.

13 Q Because you didn't have any firsthand  
14 knowledge of abuse sustained by other  
15 students. It's just based on what you had  
16 heard, right?

17 A Correct.

18 Q And it says, "Mr. Ruth abuse, Filipino kid,  
19 Mr. Ruth a big teacher but abused a few  
20 students, not CL." What's that about?

21 A There was -- Mr. Ruth was very, let's say,  
22 traveled. He loved going to the Middle East  
23 and Asia, and freshman year he took a specific  
24 interest in a Filipino student whose father  
25 was a diplomat and -- I mean, he was in that

1           guy's apartment almost every night.

2                   And it just -- In retrospect now, I look  
3           at it and I think that possibly could be the  
4           reason or part of the reason why he didn't  
5           return his sophomore year, just like I freaked  
6           out and left my sophomore year -- or junior  
7           year.

8           Q     So you were, like, identifying instances that  
9           you recalled for Mr. Garabedian and the other  
10          gentleman on the telephone call on  
11          December 12, 2017, to, like, investigate?

12          A     No. He just wanted to see if I had any  
13          inclination of any other improprieties.

14          Q     It says "Other sexual abuse, none." Do you  
15          know what that's about?

16          A     If there was any other sexual abuse by  
17          teachers or students, I'm assuming.

18          Q     And it says, "Damages." And then under that,  
19          "Ruin part of life."

20                   Did you tell Mr. Garabedian and the  
21          gentleman on the telephone call on December  
22          12, 2017 that Mr. Ralston ruined part of your  
23          life?

24          A     Yes. He asked what the effect of the abuse  
25          has had on my life since the abuse happened

1           when I was a teenager.

2           Q     "He" being Mr. Garabedian?

3           A     One of the two of the gentlemen that were on  
4                 the phone, Garabedian or his law associate.

5           Q     So one of them asked you the impact that this  
6                 sexual abuse by Mr. Ralston had on your life  
7                 since high school. Is that right?

8           A     Correct.

9           Q     And you gave this list here: "Ruined part of  
10                your life, ruined relationships with women,  
11                sleep, concentration, self-esteem,  
12                self-respect, you turned to drugs and alcohol,  
13                six to seven days a week work in --" I don't  
14                know -- "bars" and "Ruin school grades."

15                Those are things that you responded when  
16                you were asked what the impact was of the  
17                sexual abuse on your life after high school?

18          A     Correct.

19          Q     Did you come up with that list or did somebody  
20                ask you specific questions, like if you had  
21                trouble sleeping, or is this just a list you  
22                had in mind?

23          A     It was just a list of what I -- That's the tip  
24                of the iceberg, if you asked me honestly.

25          Q     And these effects that you experienced,

Kurtis N. Fouros

1           your -- you know, ruin part of your life, your  
2           relationships with women, turning to drugs and  
3           alcohol, the other stuff on the list there, is  
4           that what, you know, made you want to retain  
5           Mr. Garabedian?

6                       MR. JUBB: Object to the form.

7                       THE WITNESS: It's more the reason  
8           why when I asked -- or was asked, like, how  
9           this has affected my life, and what I think  
10          could be a positive outcome would be that I  
11          could go and get therapy to have those things  
12          addressed even at this late stage of my  
13          life -- or later stage of my life.

14                      BY MS. DOUGHERTY:

15          Q       So we're on to the next page of D5. It says,  
16                    "More Damages," and there is two columns. And  
17                    then on the left side there is like a line  
18                    down the center of the page.

19                      On the left side it starts with, "Ruined  
20                    good things and self-sabotage, trust, guilty,  
21                    self harm, cut himself, self blame, shame,  
22                    embarrassed, intimacy issues, alone, isolated,  
23                    ostracized, he was from Wisconsin."

24                      Are those other items that you identified  
25                    to Mr. Garabedian and the other gentleman on



1 the telephone call during the December 12,  
2 2017, telephone call that were the impacts on  
3 your life since high school?

4 A That would be the gist of it.

5 Q And on the right side -- And again -- before  
6 we get to the right side -- are these things  
7 that you identified or did somebody prompt you  
8 with questions?

9 A Just, I guess, other issues I've had with  
10 having to relive this over and over, you know,  
11 since I did my best to drown it out the wrong  
12 way for years, and now I'm trying to deal with  
13 it head on.

14 Q I'm sorry, because I think I misunderstood.  
15 So is it the case that you gave this list or  
16 did somebody prompt you? Did somebody say,  
17 "Have you ever cut yourself" or something like  
18 that?

19 A No. He just asked me, you know, in what ways  
20 do I think this has negatively affected my  
21 life, and I just started speaking. Again,  
22 some of this might not be my verbiage, but  
23 it's a hundred percent true.

24 Q So it's not the case that Mr. Garabedian or  
25 the other gentleman had, like, a long list

Kurtis N. Fouros

1           that they said, you know, "Did you self  
2           sabotage" or "Did you self harm." You came up  
3           with the list, and you identified these issues  
4           that we're looking at under the "Damages" and  
5           "More Damages" columns. Is that right?

6                       MR. JUBB: Objection.

7                       THE WITNESS: Yes.

8           BY MS. DOUGHERTY:

9           Q       On the right it says, "Unfixable, crying,  
10           flashbacks, reminders, won't go back to Hill  
11           school campus, emotional foundation cracked,  
12           suicidal ideation, ruin childhood, took away  
13           parts of CLs life, wouldn't live in a dorm  
14           again, senior at Hill wouldn't eat 90 percent  
15           of meals -- wouldn't eat 90 percent of meals  
16           in room."

17                    Okay. So those items on the right-hand  
18           side of the top of the sixth page of D5, those  
19           are additional impacts that you identified to  
20           Mr. Garabedian and the other gentleman during  
21           the telephone call on December 12, 2017?

22           A       Correct. Even as a freshman in college I  
23           refused to live in a dorm, and my senior year  
24           at high school I spent maybe five minutes at  
25           dinner and would leave the mess hall or the

1 dining room immediately after announcements  
2 and go back to my room.

3 Q All right. The list over on the left  
4 continues. It says, "Self confidence,  
5 oversexed, anger, sad, depression, confusion."  
6 Are those more impacts that you expressed to  
7 Mr. Garabedian and the other gentleman on the  
8 phone on December 12, 2017?

9 A Yes.

10 Q And then it says, "Doesn't want unwanted  
11 physical touch. Slap hands away." What's  
12 that about?

13 A Like if my mom comes up or my girlfriend or a  
14 friend comes up behind me and, like, jokingly  
15 pats me on certain parts of my body, I just --  
16 I immediately freak out to the point where for  
17 years my mom couldn't figure it out. But  
18 she'd come up behind me and, you know, slap me  
19 on the butt jokingly after I did something  
20 funny, and I'd freak out.

21 And, you know, my friends in college, the  
22 same sort of things you would expect, you  
23 know, when you're living in an apartment with  
24 two or three other guys and, you know -- I  
25 couldn't -- I couldn't tell them why I was

1           uncomfortable with certain subjects or certain  
2           innuendos they would make, and I would freak  
3           out and I would leave for days at a time. And  
4           then I'd come back and pretend like nothing  
5           happened, and they would, too.

6           Q     The examples that you just provided, did you  
7           provide those to Mr. Garabedian and the other  
8           gentleman on the phone during the December 12,  
9           2017 telephone call?

10          A     Yes.

11          Q     Were there any other examples of your reaction  
12          to unwanted physical contact that you provided  
13          to Mr. Garabedian and the other gentleman on  
14          the telephone during the December 12, 2017  
15          telephone call?

16          A     I didn't represent all of the times that I was  
17          uncomfortable, but yes, that was a part of it.

18          Q     And it says, "CL lost 80 to 90 pounds." Was  
19          that in high school?

20          A     Yes.

21          Q     From the not eating?

22          A     Yes.

23          Q     And then, "Coma," and it says asterisks "from  
24          drinking." I think we talked about that  
25          already, right?

1 A Yes.

2 Q And so you told Mr. Garabedian that you had --  
3 Let me start again.

4 You told Mr. Garabedian and the other  
5 gentleman during the December 12, 2017  
6 telephone call that you had drank to excess  
7 and caused yourself to go into a coma. Is  
8 that right?

9 A Correct.

10 Q Then it says, "Apathy, not care about things,  
11 will just walk away instead of working things  
12 out. Emotional void, intimacy, broken, dirty,  
13 used, damaged, bad dreams-nightmares, anxiety,  
14 anxiety attacks."

15 Were those other impacts that you  
16 described or provided to Mr. Garabedian and  
17 the other gentleman on the phone during the  
18 December 12, 2017 telephone call?

19 A Yes.

20 Q Where it says "Bad dreams, nightmares," do you  
21 have dreams regarding Mr. Ralston?

22 A I have bad dreams regarding him. I have bad  
23 dreams that somehow I end up back at that  
24 school. For the last 20 years I wake up  
25 thinking that I'm going to have to go back to

1           that school and I'm a student again in my  
2           dream, and I wake up sweating and screaming.

3           Q     Is that something that you described to  
4           Mr. Garabedian and the other gentleman during  
5           the December 12, 2017, telephone call?

6           A     To some extent, yes.

7           Q     And then on to the next page, it says -- This  
8           is actually the last page of D5. It says,  
9           "Perp had a dog." Mr. Ralston had a dog?

10          A     I think he had a Beagle.

11          Q     And it says, "Don, Jr., Trump, 1996 graduated  
12          from The Hill School, CLs cousin graduated  
13          with him." That's information that you  
14          provided to Mr. Garabedian and the other  
15          gentleman during the December 12, 2017,  
16          telephone call. Is that right?

17          A     Correct.

18          Q     And it says, "Check Wikipedia, The Hill  
19          School." Do you know what that's about?

20          A     No, I don't. Maybe he was checking to see if  
21          I was being honest about the fact that Donald,  
22          Jr. and Eric Trump both attended that school.  
23          Eric, obviously, well after I graduated.

24          Q     So you don't remember having a discussion  
25          that, like, involved Wikipedia during the

1 December 12, 2017, telephone call. Is that  
2 right?

3 A No.

4 Q Okay. And then it says, "CL: Doesn't matter  
5 if perp outed. I'll think about it though."  
6 Do you know what that is?

7 A Yeah. At the beginning -- Well, not at the  
8 beginning, but I guess at the beginning of our  
9 negotiation or, like, what was going to happen  
10 throughout the process, I said that I wouldn't  
11 have an issue if he was outed after there was  
12 a resolution, and still I wasn't sure if that  
13 was necessary given all of the other  
14 information that they could obtain. (Zoom  
15 crosstalk)

16 Q What do you mean by that? I'm sorry. I  
17 didn't mean to interrupt you.

18 A So ultimately now, yes, I want him -- if it  
19 does get to that point, I want it to be  
20 brought to light at the time I wasn't sure --  
21 (Audio distortion)

22 REPORTER: He froze.

23 MS. DOUGHERTY: Yep.

24 MR. JUBB: He's not going to be too  
25 happy about that.

Kurtis N. Poulos

1 BY MS. DOUGHERTY:

2 Q Are you back? You froze. Can you hear us?  
3 You froze at "At the time," I think.

4 A I'm fine. What did Lane mean by "He's not  
5 going to be happy about that"?

6 MR. JUBB: That we didn't get your  
7 answer and you're going to have to repeat it  
8 for us.

9 THE WITNESS: Then repeat the  
10 question, please.

11 MS. DOUGHERTY: Are you able to read  
12 the question back and the answer so then he  
13 can pick up?

14 REPORTER: Sure.

15 (Reporter read previous question.)

16 BY MS. DOUGHERTY:

17 Q Would you please finish, Mr. Poulos? You  
18 froze and we couldn't hear you.

19 A That's it.

20 Q You were in the middle of a sentence.

21 A No. I don't have anything further to say.

22 Q Okay. So at the beginning of your telephone  
23 call with Mr. Garabedian and the other  
24 gentleman on December 12, 2017, you weren't  
25 sure whether you wanted to out Mr. Ralston,



Kurtis N. Foulos

1 but since then you've decided that you do.

2 Can you explain that?

3 MR. JUBB: I'll object to that.

4 THE WITNESS: As any abused victim,  
5 you don't want to see somebody else possibly

6 abused. Whether or not it's still continuing

7 to this day, I obviously have no idea, but --

8 BY MS. DOUGHERTY:

9 Q Okay. So during the December 12, 2017,  
10 telephone call, did it matter to you whether  
11 Mr. Ralston was identified as someone who had  
12 sexually abused you when you were a child?

13 A Not particularly. It was more important to me  
14 that the school take accountability for the  
15 people that they hired.

16 Q Did you think that there was some way that  
17 Mr. Garabedian could pursue accountability of  
18 The Hill School without identifying  
19 Mr. Ralston as your abuser?

20 A Yes. Because in their very vague letters to  
21 the alumni, they stated they know of  
22 improprieties. And they didn't name teachers,  
23 but if you're a student or an alumni or  
24 alumnus who had experienced these traumas, to  
25 "come forward and we will help you through

0971a

1           this situation," which meant in my mind they  
2           were willing to start to take accountability,  
3           beyond the fact that they have already been  
4           sued by students' parents for one teacher  
5           impregnating a female student after the school  
6           went coed.

7           Q   How did you think that the school would be  
8           able to investigate your claim if you didn't  
9           identify Mr. Ralston as your abuser?

10          A   I figured they would take into account time  
11          and also multiple testimonies from other  
12          students and work through the situation or at  
13          least be able to prevent it from happening  
14          again in the future.

15          Q   And since the December 12, 2017 telephone  
16          call, has your attitude regarding outing  
17          Mr. Ralston changed?

18          A   To be honest, yes.

19          Q   When did it change?

20          A   At the beginning of this lawsuit, frankly.

21          Q   So is it now the case that you want to pursue  
22          a claim against both The Hill School and  
23          Mr. Ralston if the statute of limitations in  
24          Pennsylvania is extended?

25                           MR. JUBB: Object to the form.

1 THE WITNESS: At this time, yes.

2 BY MS. DOUGHERTY:

3 Q Okay. So then it says, "PA-Pennsylvania, SOL  
4 has run."

5 So during the very first lengthy  
6 telephone call that you had with  
7 Mr. Garabedian and the other gentleman on  
8 December 12, 2017, you talked about the  
9 statute of limitations right then, right?

10 A Correct.

11 Q And then it says, "MG, no nondisclosure  
12 agreement." Did you have a discussion about  
13 whether there should be a nondisclosure  
14 agreement during the December 12, 2017  
15 telephone discussion?

16 A Vaguely.

17 Q And then it says, "CL, I agree." Did you  
18 agree with Mr. Garabedian that there should be  
19 no nondisclosure agreement?

20 A Evidently, yes.

21 Q What's your understanding of a nondisclosure  
22 agreement?

23 A It means it would be a matter of public  
24 record.

25 Q Did Mr. Garabedian share with you why he said

1 "no nondisclosure agreement"?

2 A To the best of my knowledge or recollection,  
3 it would be a matter of -- like, if we're  
4 going to do this, we need to pursue it as, you  
5 know, to the furthest that we can. And if it  
6 is the school that knows of these instances  
7 and is ultimately the one trying to cover it  
8 up, they need to be held accountable to their  
9 students and, you know, to their prospective  
10 students and their alumni who, you know, are  
11 paying for an endowment for a school that  
12 harbors sexual predators.

13 Q And you agreed with Mr. Garabedian's thoughts  
14 about not having a nondisclosure agreement?

15 A Yes.

16 Q Was the context of the discussion relating to  
17 the nondisclosure agreement during the  
18 December 12, 2017, telephone call, was it  
19 connected in any way to how much money you  
20 could get from The Hill School?

21 A No. All I ever asked for was restitution of  
22 my tuition and, you know, to be able to afford  
23 continued therapy so that the rest of my life  
24 isn't what it was for the last 25 years.

25 Q Right. So just so -- Please correct me if I

1           misunderstood. The idea behind not having a  
2           nondisclosure agreement was so that the school  
3           could be held accountable and that the abuse  
4           would be exposed and stopped, not to obtain  
5           money or additional money from the school. Is  
6           that right?

7           A     Correct.

8                         MR. JUBB: I'll object.

9                         BY MS. DOUGHERTY:

10          Q     Then it says, "No lawsuit in CFA." Do you  
11                 know what that's about?

12          A     No.

13          Q     Then it says, "Would you call my Mom." Did  
14                 you ask Mr. Garabedian or the other lawyer on  
15                 the telephone call on December 12, 2017 to  
16                 call your mom?

17          A     Yes, I believe so. She would -- You know, she  
18                 wanted to be kept apprised of the situation  
19                 and also be able to give me some sort of  
20                 advice.

21          Q     So it was during the December 12, 2017,  
22                 telephone call, that's when you gave  
23                 Mr. Garabedian permission to talk to your mom  
24                 about your case?

25          A     Correct.

1 Q And by the end of the call, did Mr. Garabedian  
2 tell you that he was going to undertake to  
3 represent you in a claim or a -- you know,  
4 your case against The Hill School?

5 A Yes.

6 Q I tried to do it the right way and I did it  
7 wrong.

8 I'm showing you the document that I  
9 previously marked as D9. It's Garabedian\_File  
10 0040. This looks like more notes from the  
11 telephone call on December 12, 2017.

12 It says, "Received letter from headmaster  
13 Hill School-PA." So during the December 12,  
14 2017 telephone communication you communicated  
15 to -- telephone call, you communicated to  
16 Mr. Garabedian and the other gentleman on the  
17 call that you received a letter from the  
18 headmaster of The Hill School?

19 A From the office of the headmaster, yes.

20 Q And it says, "Spoke with attorney few years  
21 ago." What's that about?

22 A When I did tell my mother finally about the  
23 abuse, she recommended that I at least speak  
24 to an attorney. I do not recall his name.

25 Q Is that the lawyer you told us about before --

Kurtis N. Poulos

1 A Yes.

2 Q -- in your testimony? That was the criminal  
3 attorney you contacted or was it a civil  
4 attorney?

5 MR. JUBB: Note my objection.

6 THE WITNESS: I believe it was --

7 (Audio distortion)

8 REPORTER: I didn't get the answer.

9 Repeat the answer.

10 BY MS. DOUGHERTY:

11 Q "I believe it was a criminal attorney," right?

12 A Yes.

13 REPORTER: I'm losing him. I can't  
14 hear him at all.

15 MS. DOUGHERTY: Sure.

16 BY MS. DOUGHERTY:

17 Q So Mr. Poulos, a few years before the  
18 December 12, 2017 telephone call, you  
19 contacted an attorney that you believe was a  
20 criminal attorney. Is that right?

21 A I believe so.

22 Q Did you contact any other civil attorney other  
23 than Mr. Garabedian relating to the abuse you  
24 sustained while at The Hill School?

25 A I did not personally, no.

0977a

Kurtis N. Poulos

1 Q Is it now the time that you need to leave,  
2 Mr. Poulos?

3 A I can give you 15 more minutes. I'm just  
4 going to go dressed the way I am.

5 Q All right. Then it says, "MG, 100K to 500K in  
6 other school cases where it was outside SOL."  
7 Do you remember that discussion during the  
8 December 12, 2017, telephone call?

9 A He may have thrown it out there, that there  
10 had been similar cases where this was, you  
11 know, outside of the statute of limitations,  
12 and these were the types of settlements I  
13 should -- I could expect if this were to come,  
14 you know, full circle and be closed. But I  
15 never expected \$500,000, let a million  
16 dollars -- you know, let alone a million  
17 dollars.

18 Q So Mr. Garabedian shared his experiences with  
19 you where he pursued remedies for clients -- I  
20 guess you described it earlier -- due to a  
21 moral obligation by the school to compensate  
22 students that were abused?

23 A Correct.

24 MR. JUBB: Objection.

25 BY MS. DOUGHERTY:

0978a



1           Q     I'm showing you another series of e-mails I've  
2                   marked as D13. The Bates label on the bottom  
3                   is Garabedian\_ E-Mail004347. I'm just  
4                   interested at the moment at the e-mails on the  
5                   top of the first page of D13.

6                   There is an e-mail from you to  
7                   Mr. Garabedian, January 17, 2018. It says,  
8                   "Dear Mitchell, I just wanted to touch base  
9                   with you and see if there is any progress so  
10                  far. My mother did receive three yearbooks  
11                  from The Hill School and is willing to send  
12                  them to you. I would appreciate an update  
13                  even if it is only minor. I appreciate your  
14                  help with this matter."

15                 So did your mother -- Do you know if your  
16                  mother ever sent the yearbooks to  
17                  Mr. Garabedian?

18            A     I don't know if she did. I know she did  
19                   receive them. I never opened them. Again, I  
20                   was in Connecticut at this time, I believe.  
21                   Yeah, I was still living in Connecticut. So  
22                   if she received anything, it would have been  
23                   when she was living in Fox Point, you know,  
24                   1,100 miles away from me, so --

25            Q     That's fine. I just didn't know if she said,

1 "Hey, I sent Mr. Garabedian the yearbooks" or  
2 anything.

3 A Not to my recollection.

4 Q Do you know why -- Or let me start again. Was  
5 Mr. Garabedian the one who was interested in  
6 the yearbooks, or is that something your  
7 mother suggested or that you suggested? How  
8 did that come up?

9 MR. JUBB: Object.

10 THE WITNESS: I believe he suggested  
11 it.

12 BY MS. DOUGHERTY:

13 Q Do you know why Mr. Garabedian was interested  
14 in obtaining the yearbooks?

15 A No.

16 Q I'm showing you a document that I've marked  
17 D8. It's Garabedian\_ E-Mail0054 on the  
18 bottom. It's one page.

19 A I'm reading.

20 Q That's an e-mail exchange between  
21 Mr. Garabedian and your mother. So it says --  
22 The e-mail at the top, Mr. Garabedian to your  
23 mother, January 18, 2018, and it cc's  
24 Mr. Garabedian and someone named Daniel  
25 Mahoney. Do you know who Daniel Mahoney is?

Kurtis N. Fouros

1           A       I would assume that's the "DM" that is  
2                   mentioned in the notes that you previously  
3                   showed.

4           Q       Is Daniel Mahoney somebody that you interacted  
5                   with at Mr. Garabedian's office, if you  
6                   remember? If you don't, that's fine.

7           A       I don't remember his specific name, no.

8           Q       It says, "Mary Ellen, Attorney Dan Mahoney  
9                   from my office spoke to Kurtis this morning.  
10                  Thank you, Mitchell."

11                   Do you remember the telephone  
12                  conversation of July 18, 2018 with  
13                  Mr. Mahoney?

14                   MR. JUBB: I'll object to the form.

15                   BY MS. DOUGHERTY:

16           Q       Do you want me to make it bigger?

17           A       No. I read it, and it's January 18th. And  
18                   no, I don't recall -- I don't recall the  
19                   specifics.

20           Q       I apologize. I wasn't trying to misspeak.  
21                   You're correct. The e-mail is dated  
22                   January 18, 2018.

23                   So you don't recall having a telephone  
24                  communication with Attorney Dan Mahoney on  
25                  January 18, 2018. Is that right?

0981a

1           A     Not specifically, no.  If I did, it would have  
2                 been very brief.

3           Q     Was there ever a time that you e-mailed  
4                 Mr. Garabedian and asked for an update and you  
5                 didn't receive a response, whether it be a  
6                 telephone call or e-mail, from Mr. Garabedian  
7                 or someone else in his office?

8           A     I would mostly call and -- or write an e-mail.  
9                 And in between I'd either call or write  
10                another e-mail asking, you know, "Is there  
11                anything else I can do?"  "Is there anything  
12                else you need?"

13                I was trying to be as forthcoming as I  
14                could, and there would be days or weeks and  
15                months before I may or may not hear back.

16          Q     I'm showing you a document that I've marked  
17                 D14.  It's Garabedian\_ E-Mail0059.  It's again  
18                 an e-mail exchange, this time between you and  
19                 Mr. Garabedian.  It looks like you wrote to  
20                 Mr. Garabedian on -- I'm sorry, I misspoke.  
21                 Two e-mails by you to Mr. Garabedian:  
22                 December 17, 2018, and then September 20th,  
23                 2018.

24                It says on the top e-mail, the  
25                September 20, 2018, it says, "Hello again,

1 Mr. Garabedian. I spoke with my mother and  
2 she's thinking about calling the dean at The  
3 Hill to expedite the process. (Zoom  
4 crosstalk. Audio distortion.)

5 A They seem to have not been responding to any  
6 sort of outreach that Mitchell had been  
7 telling me. Whether it be via phone call or  
8 e-mail, I don't remember the specifics, but  
9 that they had not responded to his office.

10 Q Okay. So just so I understand correctly. On  
11 September -- at least by September 20, 2018  
12 you knew that Mr. Garabedian had contacted The  
13 Hill School about the abuse you sustained  
14 while at The Hill School. Is that right?

15 A Correct.

16 Q And it was your understanding that The Hill  
17 School wasn't responding or engaging with  
18 Mr. Garabedian. Is that right?

19 A Correct.

20 Q So then it sounds like your mother had the  
21 idea of calling The Hill School herself?

22 A Yes. She was kind of fed up with the fact  
23 that nothing was going on and without, you  
24 know, I guess sounding pretentious about it,  
25 the fact that three of my family members --

1 Well, four of my family members, one died  
2 before I met him, had graduated from that  
3 school, my family had donated hundreds of  
4 thousands of dollars to that school and we  
5 couldn't get a simple response to our attorney  
6 was kind of frustrating to her.

7 I mean, in a way our family felt it was  
8 very -- or at least she felt and I felt it was  
9 very disrespectful of the school that  
10 continued to ask for money from us, while at  
11 the same time not being able to respond to a  
12 phone call or an e-mail or a letter written  
13 directly to the school or their  
14 representation.

15 Q So I know you've told us that you didn't see  
16 the exact letter at the time, but did you know  
17 at least as of September 20, 2018 when you  
18 wrote this e-mail to Mr. Garabedian that  
19 Mr. Garabedian had sent a letter to The Hill  
20 School?

21 A Yes, I believe so.

22 Q And so, I mean, there is some frustration  
23 expressed here about the speed at which the  
24 case is moving. That frustration was with The  
25 Hill School's reaction to Mr. Garabedian. Is

1           that right? Or lack thereof, right?

2                           MR. JUBB: I'll object.

3           BY MS. DOUGHERTY:

4       Q     Yes?

5       A     Correct.

6       Q     Your answer is "Yes," correct?

7       A     Yes.

8       Q     I'm showing you a document that I marked D7.

9           It's one page. It's Garabedian\_ File0030.

10          On the top right it has a date 12/19/18, and

11          "MG, NG" at the top.

12                 Have you seen this document before I just

13          showed it to you?

14       A     No. And I've never seen that address either.

15       Q     You mean the "Client is living at 3239 West

16          Holland Drive"?

17       A     Yes. I live at 3239 West Colony Drive.

18       Q     Okay. So it looks -- It looks like somebody

19          wrote down your address incorrectly. Is that

20          right?

21       A     Yes.

22       Q     Did you have a telephone discussion with

23          Mr. Garabedian and someone else on December --

24          I'm sorry -- yes, December 19, 2018?

25       A     Yes.

1 Q Do you know who the "NG" is?

2 A No.

3 Q Was it just you, Mr. Garabedian and another  
4 man or woman or --

5 A I don't recall. I believe it was another  
6 gentleman.

7 Q Anyone else other than you three --

8 A No.

9 Q -- on the telephone call?

10 A My dog Bumblebee.

11 Q If you can just read through what I've put up  
12 on the screen, which says, "Works in car  
13 sales" down to "Sober a month." Just read  
14 that to yourself and confirm for me whether  
15 that's information that you communicated to  
16 Mr. Garabedian and the other gentleman during  
17 the telephone communication on December 19,  
18 2018.

19 A Yes.

20 Q Then it says -- I've just scrolled down --  
21 "Re: Going public-feeling more confident about  
22 this now that he's sober." What's that about?

23 A Well, that's part of the reason why I had to  
24 stop drinking again, because if I was  
25 drinking, all I would do is dwell on the



1 negative.

2 Q Okay. So you were sober on December 19th,  
3 2018, right? And you had been sober for a  
4 month?

5 A Yes. I had -- Yeah.

6 Q And so now that you were sober, at least as of  
7 December 19th, 2018 you were feeling more  
8 confident about going public about what?

9 A I was just feeling more confident about not  
10 feeling like I was a victim and more like I  
11 was a survivor.

12 Q What about the "going public"?

13 A That when the time came, that I would be  
14 willing, if need be, to make a statement.

15 Q Identifying Mr. Ralston as your abuser?

16 A And the school as -- I don't know -- for lack  
17 of a better term, a co-conspirator, and the  
18 fact that they know that this was happening  
19 for decades at that school.

20 Q So as of December 19, 2018, you were still  
21 focused on pursuing relief from the school,  
22 right?

23 A Correct.

24 Q And you were feeling more confident about  
25 publicly identifying the school as a school

1           that permits child abusers to work for it. Is  
2           that the right concept?

3           A     Correct.

4                         MR. JUBB: I'll object to the form.

5           BY MS. DOUGHERTY:

6           Q     And it says, "MG tells client that we're  
7           speaking to the attorney on Friday."

8                         So did Mr. Garabedian tell you that he  
9           was going to speak to the lawyer for the  
10          school during the December 19, 2018, telephone  
11          call?

12          A     I don't recall if he specifically told me  
13          that; but if that's what they're writing that  
14          they told me, then I have no reason to doubt  
15          them.

16          Q     And then it says, "We'll speak to client at 4  
17          p.m. on Friday." Do you know if you had a  
18          follow-up call with Mr. Garabedian after he  
19          spoke to the attorney for the school?

20          A     I can't recall any specifics, no. I would  
21          have been at work at 4 p.m. on a Friday.

22          Q     So it's 3:16. You need to leave, correct?

23          A     I can give you 10 more minutes.

24          Q     I'm showing you a document that I've marked as  
25          D6. It's Garabedian\_File0025 to 26. You

1 know what? Just to be clear, I did this by  
2 accident, but I can't fix it right now.

3 On the top right of Garabedian File 25,  
4 which is the first page of D6, it has a date  
5 of 12/26/2018, and the second page of D6,  
6 which is File 26, has a date of 12/21/2018. I  
7 inadvertently put them together. So I just  
8 want it to be clear for the record, it's notes  
9 of two different dates. I'm going to start  
10 with the first page of D6.

11 There is again handwritten notes. You  
12 haven't seen those notes before I just showed  
13 them to you, correct?

14 A Correct.

15 Q Did you have a telephone communication with  
16 someone from Mr. Garabedian's office or  
17 Mr. Garabedian on December 26, 2018?

18 A I don't recall. The conversations were so few  
19 and far between, I don't remember specific  
20 dates. But this might have been one of the  
21 check-ins that I did receive.

22 Q Okay. Just to refresh your recollection,  
23 we'll go back to D7. That's -- These are  
24 notes from a discussion you had on --

25 A Yes.

Kurtis N. Foulos

1 Q -- December 19th, 2018, right?

2 A Correct.

3 Q So now we're -- now we're on December 26,  
4 2018. So that's like a week later, right?

5 A Correct.

6 Q All right. And so I'll scroll to the page  
7 where it says, "Kurt had Ralston as," and then  
8 you can see down on the bottom "sophomore  
9 year, geometry." Can you read that section to  
10 yourself and then confirm for me whether  
11 that's information that you provided to  
12 Mr. Garabedian or someone from his office?

13 A It is.

14 Q Okay. I've scrolled down to the sentence that  
15 says, "Ralston made Kurt," and then it ends on  
16 the bottom, "lived in the same building as  
17 Ralston."

18 Can you do the same, read that and tell  
19 me if that's information you provided to  
20 Mr. Garabedian or someone from his office?

21 A Yes.

22 Q And then, "Only interaction when on one" down  
23 to "No contact since high school," is that  
24 information you communicated to Mr. Garabedian  
25 or someone from his office?

0990a

Kurtis N. Poulos

1 A Correct.

2 Q Then we're going to the second page of D6,  
3 which again has a different date, 12/21/2018  
4 on the top right. It says, "MG, NG." Did you  
5 have a telephone call with Mr. Garabedian and  
6 someone else on December 21, 2018?

7 A I believe so, briefly.

8 Q It says, "MG tells client that they need to  
9 speak to the client about the case. Client  
10 will call Monday."

11 Do you know what Mr. Garabedian needed to  
12 speak to you about?

13 A No, I don't recall.

14 Q Did you learn that Mr. Garabedian was going to  
15 send or did send a second letter to the school  
16 around the time of these telephone  
17 communications that we've been looking at,  
18 middle to the end of December, 2018?

19 A Possibly, yes.

20 MS. DOUGHERTY: Those are my  
21 questions.

22 MR. JUBB: Mr. Poulos, would you  
23 like to go to your appointment and schedule a  
24 different time?

25 THE WITNESS: How much more time do

0991a

Kurtis N. Poulos

1           you need?

2                       MR. JUBB: Well, I would just be  
3           limited to some of the questions that she  
4           asked you, but I don't -- I don't know. It  
5           depends on your responses. But probably,  
6           like, 10 to 15 minutes. So you said you had  
7           to go at three. Now it's 3:20.

8                       THE WITNESS: Let me just --

9                       REPORTER: Do you want to go off the  
10          record?

11                      MR. JUBB: Yes.

12                      MS. DOUGHERTY: Mr. Poulos, we don't  
13          want to inconvenience you but we also don't  
14          want you to have an adverse impact at work.

15                      VIDEOGRAPHER: The time is 2:21.  
16          We're off the record.

17          (Off the record. Recess taken.)

18                      VIDEOGRAPHER: The time is 2:22.  
19          We're back on the record.

20                      EXAMINATION BY MR. JUBB:

21          Q       Mr. Poulos, I'm going to show you what was  
22           produced to me as MG -- excuse me --  
23           Garabedian File 33. This was the 12/12/17  
24           notes that you went over with counsel. Do you  
25           recall going over this with her?

Kurtis N. Poulos

1 A Yes.

2 Q All right. And then she asked you about the  
3 "Arrested, Wisconsin, Connecticut, breaking  
4 and entering, disorderly conduct; felonies,  
5 no; jail time, none." Do you recall getting  
6 asked about that?

7 A Yes.

8 MS. DOUGHERTY: This is D5, just so  
9 you know, if you wanted to use that.

10 MR. JUBB: That's okay. I just  
11 remember it because it's Garabedian File 33.

12 MS. DOUGHERTY: Okay.

13 BY MR. JUBB:

14 Q And with this, Mr. Poulos, when I asked you  
15 about this -- I guess it was about a month  
16 ago -- you said you never had any breaking and  
17 entering, correct?

18 MS. DOUGHERTY: Objection. I don't  
19 think you asked him about the notes.

20 MR. JUBB: I'm quite confident I  
21 did.

22 BY MR. JUBB:

23 Q Mr. Poulos, what did you tell me last time we  
24 spoke about breaking and entering?

25 A That I didn't recall that I had one, but I

0993a

1 don't exactly have the greatest memory, so --

2 Q Well, I asked you whether or not you told  
3 Mr. Garabedian you had any felonies, and you  
4 said you did not have any felonies, correct?

5 A Yes. I didn't believe at the time that I did.

6 Q Did you somehow learn from the last time we  
7 spoke and now that you actually did commit a  
8 felony?

9 A My mother has made me aware that there might  
10 be -- or there is a felony on my record. I  
11 was not aware of that. I thought my attorney  
12 had squashed it down to a misdemeanor and  
13 that's why I did not go to jail.

14 Q Okay. And what was it that you thought was  
15 the misdemeanor that your attorney took care  
16 of?

17 A It was a violation of a restraining order.  
18 Mind you, at the time that that was all  
19 happening in my life, I was heavily drugged  
20 and drinking, so 90 percent of what was going  
21 on in my life at that time I wasn't paying  
22 attention to.

23 Q Were you paying attention when Mr. Garabedian  
24 was asking you questions about your criminal  
25 background?



1 A Yes.

2 Q All right. Did you tell him that you had  
3 violated some sort of protection from abuse  
4 order then?

5 A Possibly.

6 Q He didn't write it down, though, did he?

7 A I don't know whose handwriting that is.

8 Q Well, you told him you did no jail time,  
9 right?

10 A Correct.

11 Q You didn't tell him a couple of overnights,  
12 right?

13 A Yes.

14 Q Why did you lie to him?

15 A I didn't.

16 MS. DOUGHERTY: Objection.

17 BY MR. JUBB:

18 Q Okay. So do you have any idea how  
19 Mr. Garabedian or whoever was writing these  
20 notes got the impression that you did no jail  
21 time?

22 A No. I mean, I had to wait to pay bail and  
23 then I went home.

24 Q As you sit here today, are you saying that  
25 you've never done any jail time?

Kurtis N. Foulos

1           A       No. I said I've done a couple of overnights  
2                   waiting for bail to be posted.

3           Q       And is it your testimony that you did or did  
4                   not tell Mr. Garabedian that?

5           A       I don't recall.

6           Q       Well, as of December of 2017, did you remember  
7                   that you had done those overnights and jail  
8                   time?

9           A       Yes. I told him that I had done that.

10          Q       And to the extent that he wrote down in his  
11                  notes "None," that would be incorrect, fair?

12                         MS. DOUGHERTY: Objection.

13                         THE WITNESS: (Inaudible response)

14                         BY MR. JUBB:

15          Q       You said what?

16          A       I said "I guess so."

17          Q       Now, with respect to the reference we see  
18                  "Psychology, Mom would know late '90s," I  
19                  believe you told counsel that you were on and  
20                  off since you were around seven or eight. Do  
21                  you remember that?

22          A       Yes.

23          Q       And you told Mr. Garabedian that, correct?

24          A       Correct.

25          Q       What did you tell him about your psychological

1 and psychology treatment on and off since you  
2 were seven or eight?

3 A That my early psychological treatment prior to  
4 high school mostly dealt with my mother and my  
5 father's relationship and my living situation,  
6 where the court had decided that I needed to  
7 speak with a psychiatrist and use their  
8 recommendation as to where I would have my  
9 full time residence, whether it be with my  
10 mother or my father, which would be more  
11 stable for me as an adolescent.

12 Q But you said you were on and off since you  
13 were seven or eight. That would only cover  
14 the seven or eight part. Where is the other  
15 ons after that?

16 A That was still part of it. They were still  
17 fighting over custody for me up until I  
18 finally told my father, like, "You just need  
19 to stop with this. I'm not going to live with  
20 you."

21 Q Okay. And at approximately what age were you  
22 at that point?

23 A I don't know. 11 or 12, so just before high  
24 school.

25 Q All right. And what was the therapy after

1 that?

2 A The therapy after that was my freshman or  
3 sophomore year of college, I went to see a  
4 therapist about being depressed.

5 Q Who was that?

6 A I don't remember his name. It was a family  
7 referral.

8 Q Where was it?

9 A In Milwaukee, Wisconsin.

10 Q And you went to him because you were depressed  
11 your freshman and sophomore year of college.  
12 Is that right?

13 A Yes. My girlfriend at the time was worried  
14 about me.

15 Q And when you went to those therapy sessions,  
16 did you ever tell your therapist that you were  
17 in any way depressed or had anything to do  
18 with being sexually abused just a couple years  
19 ago?

20 MS. DOUGHERTY: Objection.

21 THE WITNESS: As I stated earlier,  
22 no, I never previously brought up any sexual  
23 abuse with my therapists before Dr. Brodick  
24 (Phonetic).

25 BY MR. JUBB:

1 Q And did you tell the therapist that your  
2 depression-like symptoms were actually related  
3 to your family issues?

4 A No, I did not.

5 Q Did you tell them you were depressed?

6 A Yes. I just was not honest with him about why  
7 I was depressed. I was ashamed.

8 Q I see. And then so when we pull up here  
9 MG35 -- Excuse me. I keep saying "MG," but  
10 it's Garabedian File 35. On these notes you  
11 were asked about the cubicles in the basement  
12 of the school. Do you remember that?

13 A Yes.

14 Q All right. Describe those cubicles for me.

15 A To the best of my recollection, they were in  
16 the basement of the library. This was a small  
17 corridor with a few rooms and a built-in desk  
18 so you could go down there with a couple of  
19 textbooks and study or write and not be  
20 disturbed.

21 There was a door that would allow no  
22 access other than the one student who was  
23 supposed to be in that room studying by  
24 himself.

25 Q And you said that Mr. Ralston had come down

1 and told you to get out of there?

2 A Yes.

3 Q All right. What were you doing down there  
4 that you were told to get out?

5 A Like I addressed to Candidus earlier, it was  
6 close to my curfew when I needed to be back in  
7 my under form dorm, and he was questioning if  
8 I had permission to be down there and why I  
9 was down there and why I was down there so  
10 late and that I need to go back to my dorm for  
11 check-in.

12 Q But did he say that you were somehow not  
13 supposed to be there?

14 A He implied, like, "Why are you down here so  
15 late? Get out. You're too --" You know, I  
16 was a third form, so I was at best 14,  
17 15 years old. So if a teacher says "You need  
18 to go back to your dorm," you go back to your  
19 dorm.

20 Q Were you the only student down there?

21 A I believe so, yes.

22 Q So you're a third form by yourself in the  
23 basement of cubicles, and the alleged sex  
24 abuser at this point just tells you to leave.  
25 Is that right?

Kurtis N. Foulos

1 MS. DOUGHERTY: Objection.

2 THE WITNESS: (Inaudible response)

3 REPORTER: What was the answer? I'm  
4 sorry.

5 THE WITNESS: No. It wasn't that  
6 way. He told me -- He asked me first why I  
7 was down there. I explained that my dorm  
8 master had given me permission to go down  
9 there and study alone, so that's what I was  
10 doing. And I was going to make it back from  
11 the library to upper school with plenty of  
12 time to make my curfew. I was not in a good  
13 relationship with my roommate. He was a  
14 kleptomaniac freak, so I did as much as I  
15 could to not be in my dorm room.

16 BY MR. JUBB:

17 Q Am I correct, though, that you had every right  
18 to be down in this basement. Is that right?

19 A Correct.

20 Q But nonetheless, Mr. Ralston kicked you out,  
21 right?

22 A Yes. And I believe it could have been due to  
23 curfew or -- I don't know what else, but it  
24 was a matter of "Go back to your dorm."

25 Q And after that, you never went back down to

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1 the cubicles in the basement again. Is that  
2 it?

3 A No. My home master allowed me to start  
4 studying in the common room on our dorm level  
5 rather than walk over to the library from the  
6 upper school building. So -- (Zoom  
7 crosstalk)

8 Q Who was the home master?

9 A I don't remember his name. (Audio distortion)

10 REPORTER: I'm sorry. Repeat.

11 THE WITNESS: Who are you telling to  
12 repeat?

13 REPORTER: The answer. Your answer.

14 THE WITNESS: I remember that at the  
15 end of the dorm at the far end, his apartment  
16 was on one side. Across from his apartment  
17 was our common room, and I would go in there  
18 and study alone rather than sit in my room  
19 with a roommate that was stealing from me.

20 BY MR. JUBB:

21 Q Okay. You were at the school for three more  
22 years after this. Or you spent at least three  
23 years at the school. Is it your testimony you  
24 never went back down to the cubicles in the  
25 basement?



1           A     Not to my recollection, no. And if it was, it  
2                    would have been because we had certain books  
3                    that were not allowed to leave the library, so  
4                    you had to read them on premises and then  
5                    bring them back up to the librarian. You  
6                    could not check them out of the library.

7           Q     And when this -- At the instant that you're  
8                    describing happened in your third form year,  
9                    this was when you were the youngest -- in your  
10                  freshman year. Mr. Ralston didn't do anything  
11                  sexual, correct?

12          A     No.

13          Q     He wasn't creepy?

14          A     That was kind of creepy because it wasn't his  
15                  business.

16          Q     It wasn't his business to make sure a student  
17                  would be back in time for their check-in?

18          A     Well, if it was, like, five minutes after or  
19                  five minutes before; but it was, like, at  
20                  least 20 to a half -- 20 minutes to a half an  
21                  hour before I needed to be back in the dorm  
22                  that was a hundred yards away from the  
23                  library.

24          Q     Okay. And then when this happened, how did  
25                  you respond to him?

1           A     I just packed up my bag and whatever materials  
2                   I had, and I went back to my dorm, was there  
3                   for check-in.

4           Q     I believe you told counsel that when there was  
5                   reference in Mr. Garabedian's notes to "Perp  
6                   told CL 'Our time for us, no one else,'" you  
7                   said that had occurred when?

8           A     I believe it was senior year when I was moving  
9                   back into the dorm that he was living in but  
10                  not a hall master of.

11          Q     So you actually saw him your senior year in  
12                  this dorm, right?

13          A     No. He didn't have a dorm. He had an  
14                  apartment. I saw him when I was moving my --  
15                  my -- The things that I had driven out to  
16                  Pennsylvania in my car with my father, we had  
17                  parked next to the dorm and we were emptying  
18                  out my Camaro, walking up the stairs to my  
19                  dorm, and he came outside and made that  
20                  comment to me.

21          Q     About your time together. It was  
22                  quote/unquote "our time," correct?

23          A     Maybe not verbatim, but something to that  
24                  respect.

25          Q     Well, it's in quotes in Mr. Garabedian's

Kurtis N. Foulos

1 notes, correct?

2 A I didn't write those quotes, so I don't know  
3 why -- I can't speak to why they're in quotes.

4 Q Did you tell Mr. Garabedian --

5 MS. DOUGHERTY: Objection. (Zoom  
6 crosstalk)

7 BY MR. JUBB:

8 Q -- said to you during your senior year that  
9 there was going to be something that was,  
10 quote/unquote, our time?

11 A Something to that regards. And he also made  
12 other comments if you'd like to hear those.

13 MS. DOUGHERTY: I'm going to object.  
14 Just so you're clear, I don't think anybody  
15 has established whose notes they are, whether  
16 they're Mr. Garabedian's or someone else's.

17 BY MR. JUBB:

18 Q You can answer my question, Kurtis. I'd love  
19 to hear about them. What other interactions  
20 did you have?

21 MS. DOUGHERTY: Objection.

22 THE WITNESS: He confronted me on  
23 multiple occasions about the fact that he knew  
24 that I was smoking off campus, and he was  
25 going to make sure that, you know, I was, you

1 know, targeted and/or found out and  
2 disciplined for any improprieties the rest of  
3 the year, hence maybe why he took it upon  
4 himself to park me in when he had no authority  
5 to do so.

6 He wasn't the dean of discipline. He  
7 wasn't my dorm master. He had nothing to gain  
8 except for a feeling of power and leverage  
9 over a young man.

10 BY MR. JUBB:

11 Q Okay. This feeling of power and leverage,  
12 when he caught you smoking, did he turn you  
13 in?

14 A No, he didn't catch me. He just said he knew  
15 I was smoking.

16 Q And -- Any other interactions you had with  
17 him?

18 A As few as possible.

19 Q Didn't you tell Mr. Garabedian that you never  
20 had any interaction with him your senior year?

21 A No, I did not.

22 Q So the suggestion that you somehow had no  
23 interaction with Mr. Ralston your senior year,  
24 that would be false, correct?

25 A Correct.

1 Q And after this interaction where you're saying  
2 Mr. Ralston said to you there was going to be  
3 something that was, quote/unquote, our time,  
4 that never happened, did it?

5 A That he ever said that?

6 Q There was never a time that you were with him,  
7 correct?

8 A That's not what I said. I said I went out of  
9 my way to avoid spending time with him.  
10 Obviously I'm going to have to interact with  
11 almost everybody on the campus every single  
12 day. And he was in the same building that I  
13 lived in.

14 Q Right. In the same building that you lived  
15 in, and despite the fact that teachers are  
16 allowed to come into rooms whenever they want  
17 like was written in the notes, he never did  
18 that, did he?

19 A My senior year, no. Because senior --

20 Q Why not?

21 A -- year is completely different than sophomore  
22 year or freshman year. Senior year we do not  
23 have study hall times. We're not required to  
24 be in our dorms after dinner.

25 Frankly, as soon as we are through with

1           our dinner and messages from the headmaster,  
2           all of the seniors are allowed to leave the  
3           dining hall and basically do whatever they  
4           want, to an extent. So I would go to other  
5           dorms. I would go to other dorm rooms. I  
6           would go anywhere on campus to spend as little  
7           time in my actual dorm room my senior year as  
8           possible.

9           Q     I thought that you had just told counsel that  
10           you ate 90 percent of your meals in your room.  
11           Is that true or false?

12                       MS. DOUGHERTY: Objection.

13                       THE WITNESS: That's true.

14           BY MR. JUBB:

15           Q     That's true. Okay. So you're eating  
16           90 percent of your meals in your room, but  
17           then you didn't want to be in your room every  
18           other time?

19           A     I had a lockbox at the base of my bed that I  
20           kept food in. I would go and get a quick bite  
21           to eat, whether it be a cup of noodles or  
22           ramen. Some nights it was just cans of raw  
23           tuna. I would scarf down whatever I could,  
24           and then I would just walk.

25                       And sometimes I would break the rules and

1           just leave campus. There was a cemetery at  
2           the end of the campus. I would go over there  
3           and sit down, listen to music and come back  
4           around nine-ish, watch some TV in the common  
5           room with the rest of the people in my dorm  
6           and then go to sleep.

7           Q     Who were the people in your dorm that you were  
8           close with?

9           A     Fabritzio (Phonetic) was one of them. He was  
10          an EMT. He was a kid from -- (Audio  
11          distortion)

12                   REPORTER: Spell his name and where  
13          he was from? I'm sorry.

14                   THE WITNESS: I don't recall the  
15          spelling of his name. I believe he was from  
16          Washington, D.C. There was another gentleman  
17          that lived on my hallway named Clay. I  
18          believe he was from Vermont or New Hampshire,  
19          so I would hang out in his room. And he had  
20          somehow gotten a TV and a PlayStation, so we  
21          would sit in there and play video games with  
22          the door shut and locked.

23                   And like I previously stated, we were not  
24          allowed to have locked doors if we were in the  
25          room, so we would just stay dead silent.

Kurtis N. Foulos

1 BY MR. JUBB:

2 Q Okay. Anybody else you hung out with?

3 A Lance Whitlock and Kent Andres (Phonetic).

4 Q Who did you hang out with your sophomore year?

5 A Mostly Jeff Glenn.

6 REPORTER: Say the name again?

7 THE WITNESS: Jeff Glenn, G-L-E-N-N,  
8 as in Senator Glenn.

9 BY MR. JUBB:

10 Q You mentioned that -- In the notes that we  
11 went over, there was reference that you had  
12 lost 80 to 90 pounds when you were in high  
13 school from not eating?

14 A Correct.

15 Q So you would have been -- If you had lost 90  
16 pounds, then you would have been at least  
17 200 pounds freshman year, right?

18 A I was about 140 pounds.

19 Q By the time you graduated?

20 A Correct.

21 Q So then you would have been 240 pounds at the  
22 time you got there?

23 MS. DOUGHERTY: Objection.

24 THE WITNESS: I had a growth spurt  
25 when I was in France.



1 REPORTER: Repeat the answer, sorry.

2 THE WITNESS: I had a huge growth

3 spurt when I was in France my junior year of

4 high school, and I gained a lot of weight.

5 And by the end of my senior year, I had lost

6 at least 80 pounds, I would say. I don't

7 know. I didn't weigh myself every day.

8 BY MR. JUBB:

9 Q You're saying that when you were a junior in  
10 high school you had a growth spurt and somehow  
11 gained 80 to 90 pounds at one point. Is that  
12 right?

13 A All I did when I was in France was eat, and I  
14 grew like six inches in the couple of months  
15 that I was there.

16 Q And then you came back in your senior year and  
17 you lost 80 to 90 pounds?

18 A Probably something close to that. I don't  
19 know the exact number. I know that I went  
20 down to a size 30 pants waist and I was, like,  
21 at least a 36.

22 Q You mentioned that you told Garabedian about  
23 not being able to be touched, or that if your  
24 mom slapped you on your butt you would kind of  
25 get uncomfortable. Do you recall saying that?

Kurtis N. Fouros

1 MS. DOUGHERTY: Objection.

2 THE WITNESS: Yes.

3 BY MR. JUBB:

4 Q And that other people, you know, just like  
5 patting you on the back, that was  
6 uncomfortable. Or slapping you on the back,  
7 that was uncomfortable, correct?

8 A Correct. I didn't -- Even with my current  
9 girlfriend, if she tries to wake me up and  
10 touches me in a certain place, I freak out and  
11 I don't -- don't know how she just doesn't do  
12 that.

13 Q Well, what about your other girlfriends that  
14 you had? Did you have any problems with them  
15 touching you?

16 A Yes.

17 MS. DOUGHERTY: Objection.

18 BY MR. JUBB:

19 Q So Emily would say that you had touching  
20 problems, correct?

21 A It got so bad that one morning she touched me  
22 a certain way, and I believe I put my hands  
23 around her throat.

24 Q I guess that would lead to the other  
25 protection from abuse order, correct?

1 (Zoom crosstalk)

2 MS. DOUGHERTY: Objection.

3 REPORTER: Wait a minute. Repeat  
4 the question.

5 MR. JUBB: I said I guess that would  
6 lead to the other protection from abuse order,  
7 correct?

8 MS. DOUGHERTY: Objection, move to  
9 strike.

10 REPORTER: What was the answer?

11 THE WITNESS: You'd be wrong.

12 BY MR. JUBB:

13 Q What about the other girlfriend that has a  
14 protection from abuse order against you? Did  
15 you have any problems touching her?

16 MS. DOUGHERTY: Objection.

17 THE WITNESS: Did I have any  
18 problems touching her?

19 BY MR. JUBB:

20 Q I'm sorry. Did you have any problems with her  
21 touching you?

22 A Yes, the same issues.

23 Q So both of them would say if they were under  
24 oath, "He always had these issues with me  
25 touching him," right?

Kurtis N. Foulos

1           A     At times, yes.  If I was unaware of what was  
2                   going to happen, yes.  I would feel  
3                   uncomfortable and threatened.

4           Q     I see.  And at any point in time did you ever  
5                   relay that some of your touching issues were  
6                   because your dad used to beat you?

7           A     No.

8                   MS. DOUGHERTY:  Objection.

9                   THE WITNESS:  Because it didn't  
10                  have anything to do with that.

11                BY MR. JUBB:

12          Q     Okay.  When you were talking about all those  
13                  bad dreams about going back to school, did you  
14                  tell your then girlfriend at the time that you  
15                  didn't want to drive to The Hill School that  
16                  she wanted to go to because you had these  
17                  night tremors, waking up and sweating and  
18                  screaming?

19                   MS. DOUGHERTY:  Objection.

20                   THE WITNESS:  No.

21                BY MR. JUBB:

22          Q     Ever have any of those that she would know of?

23                   MS. DOUGHERTY:  Objection.

24                   THE WITNESS:  I only went by that  
25                  school with one of my ex-girlfriends and that

1 was when I was in my late teens, early 20s.

2 BY MR. JUBB:

3 Q Closer in time to when the alleged abuse would  
4 have occurred, correct?

5 A Correct. All we did was drive around the  
6 campus, and we got back on the highway and  
7 drove back to Milwaukee.

8 Q Would Ms. Peters or your other -- Karen --  
9 would they have any knowledge of these night  
10 sweats and screams that you talk about?

11 MS. DOUGHERTY: You said "or your  
12 other" -- What was -- I didn't hear the -- Did  
13 you say "carrot"?

14 MR. JUBB: Other girlfriend, Karen,  
15 yeah.

16 MS. DOUGHERTY: Okay.

17 THE WITNESS: Emily would realize,  
18 yes.

19 BY MR. JUBB:

20 Q Am I correct when you were describing your mom  
21 being fed up that nothing was going on because  
22 they couldn't get a response from the school,  
23 at that point in time it was your  
24 understanding and your mom's understanding  
25 that the school was unresponsive, correct?

1 A Correct.

2 Q They weren't sending any e-mails to  
3 Mr. Garabedian, right?

4 A Not to my knowledge.

5 MS. DOUGHERTY: Objection.

6 BY MR. JUBB:

7 Q There was never a request to speak with you or  
8 anything, correct?

9 MS. DOUGHERTY: Objection.

10 THE WITNESS: No.

11 BY MR. JUBB:

12 Q You said you were sober in December of 2018,  
13 correct?

14 A Correct.

15 Q That would be a good time to speak to somebody  
16 about your allegations when you're sober,  
17 correct?

18 A As far as people, who? Who are you referring  
19 to? "That would be a good time to speak to  
20 somebody," who are you referring to?

21 Q How about people who would be -- I don't  
22 know -- examining or investigating your claims  
23 of sexual abuse?

24 A Possibly. But maybe this isn't something I  
25 want to speak about every day to people I do

Kurtis N. Poulos

1 not know.

2 MR. JUBB: I'm done.

3 EXAMINATION BY MS. DOUGHERTY:

4 Q Mr. Poulos, did you speak to Mr. Garabedian  
5 in -- Well, let me start again.

6 Mr. Poulos, did you speak to  
7 Mr. Garabedian at any time about participating  
8 in a mediation with The Hill School?

9 A It might have been brought up as a  
10 possibility. I don't recall the specifics of  
11 the conversation.

12 Q Do you remember when?

13 A No, I do not.

14 Q How about, were you sober at the time or not  
15 sober at the time?

16 A Again, if I don't know the timeline I don't  
17 know -- I fell off the wagon a couple of times  
18 and got back on, so -- It depends on the date.

19 Q Was it after you learned that Mr. Garabedian  
20 had sent a letter to the school?

21 A Possibly. Again, if I don't have a timeline,  
22 I can't tell you what was going on.

23 Q I realize you don't know the specific date.  
24 I'm asking about events, so maybe you could  
25 place it in time with the events without

1           regard to whether you know the specific date.

2                   Was it after your mom expressed  
3           frustration that the school wasn't reacting to  
4           Mr. Garabedian?

5           A     Not to my knowledge.

6                   MS. DOUGHERTY:   Those are my  
7           questions.

8           EXAMINATION BY MR. JUBB:

9           Q     Tell me when -- Currently are you sober?

10          A     Yes.   (Zoom crosstalk)

11                   REPORTER:   I'm sorry.   Repeat your  
12          answer.

13                   MS. DOUGHERTY:   Objection.

14          BY MR. JUBB:

15          Q     All right.   Tell me the last time you fell off  
16          the wagon.

17                   MS. DOUGHERTY:   Objection.

18                   THE WITNESS:   Over seven months ago.

19          BY MR. JUBB:

20          Q     And during the time of December of 2017 when  
21          you first were contacting the Garabedian law  
22          firm up until you got sued in this lawsuit,  
23          were you -- what's your testimony in terms of  
24          how long or approximately how many times you  
25          were sober?



Kurtis N. Poulos

1 MS. DOUGHERTY: Objection.

2 THE WITNESS: I would drink  
3 recreationally with -- sorry -- with Emily,  
4 usually at home.

5 MR. JUBB: Nothing further.

6 MS. DOUGHERTY: I don't have any  
7 further questions. Thank you, Mr. Poulos.

8 VIDEOGRAPHER: The time is 2:51. We  
9 are off the record.

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KURTIS N. POULOS

1 STATE OF WISCONSIN)

2 ) SS:

3 COUNTY OF WAUKESHA)

4 I, Beth Zimmermann, a Registered Professional  
5 Reporter and Wisconsin Notary Public, certify that  
6 KURTIS N. POULOS swore under oath to tell the truth,  
7 the whole truth, and nothing but the truth, and that I  
8 stenographically reported and reduced to typewriting  
9 the deposition.

10 I certify that I am neither related to nor an  
11 employee of any party or attorney to this action, and  
12 I certify that I have no financial interest in the  
13 matter.

14

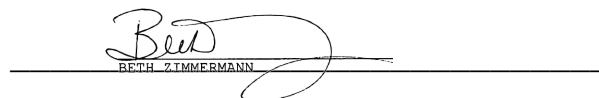
15 Dated June 7, 2021.

16

17

18

19



BETH ZIMMERMANN

20

21

22

23 Court Reporter and Notary Public

24 My Commission Expires 10/21/2021.

25